

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP  
STEPHANIE SHERIDAN Bar No. 135910  
2 MICHAEL N. WESTHEIMER Bar No. 178938  
One Market Plaza  
3 Steuart Tower, 8th Floor  
San Francisco, California 94105  
4 Telephone: (415) 781-7900  
Facsimile: (415) 781-2635  
5 Email: stephanie.sheridan@sdma.com  
michael.westheimer@sdma.com

6 Attorneys for Defendant  
7 TUMI, INC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 VICTOR GAMALY, individually and on  
12 behalf of himself and all others similarly  
situated,

13 Plaintiff,

14 v.

15 TUMI INC., DOES 1 THROUGH 10,  
16 Defendant.

CASE NO. C07-04758 JF

**DEFENDANT TUMI, INC.'S REQUEST  
FOR JUDICIAL NOTICE IN SUPPORT  
OF ITS MOTION TO DISMISS**

Date: January 4, 2008  
Time: 9:00 a.m.  
Judge: Hon. Jeremy Fogel  
Ctmm: 3, 5th Floor

17  
18 TO THE HONORABLE JEREMY FOGEL, AND TO ALL PARTIES AND THEIR  
19 ATTORNEYS OF RECORD:

20 PLEASE TAKE NOTICE that Defendant Tumi, Inc. ("Defendant" or "Tumi") will and  
21 hereby does request, pursuant to Federal Rule of Evidence 201, that the Court take judicial notice  
22 of the attached court records and Congressional Bill relevant to the instant case.

23 The Court may take judicial notice of facts that are "not subject to reasonable dispute"  
24 and are "capable of accurate and ready determination by resort to sources whose accuracy cannot  
25 reasonably be questioned." Fed. R. Evid. 201(b). Court records such as pleadings in other cases  
26 are properly subject to judicial notice. Schweitzer v. Scott, 469 F.Supp. 1017, 1020 (C.D. Cal  
27 1979). Legislative history and public records are also the proper subject of a request for judicial  
28 notice. Chaker v. Crogan, 428 F.3d 1215, 1223, n.8 (9th Cir. 2005).

For each of these reasons, Defendant respectfully requests that the Court take judicial notice of Request Nos. 1 and 2 below, and Exhibits A and B hereto.

1. Excerpts (the first two pages) of a selection of other FACTA class action complaints all similarly seeking class-wide statutory penalties under the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681n for alleged violation of FACTA, attached as Exhibit A hereto. Although there are an estimated 250 FACTA cases, pending across the country, excerpts from 76 other California FACTA lawsuits are attached hereto and titled as follows:

1. Arcilla v. Adidas Promotional Retail Operations, Inc., (C.D. Cal., CV07-0211).
2. Bateman v. Am. Multi-Cinema, Inc., (C.D. Cal., CV07-00171)
3. Wilson v. Anna's Linens, Inc., (C.D. Cal., CV07-00045)
4. Dister v. Applebee's International, Inc., (N.D. Cal., CV07-01377)
5. Najarian v. Avis Rent a Car System, LLC, (C.D. Cal., CV07-0588)
6. Parseghian v. Bally North Am., Inc., (C.D. Cal., CV07-00347)
7. Soualian v. Barneys New York, Inc., (C.D. Cal., CV07-0558)
8. Libman v. Bebe Stores, Inc., (C.D. Cal., CV07-0972)
9. Yalengkian v. Bebe Stores, Inc., (C.D. Cal., CV07-0255)
10. Grogan v. Benihana Encino, (C.D. Cal., CV07-00975)
11. Altomare v. Blockbuster, Inc., (C.D. Cal., CV06-8211)
12. Hile v. The Body Shop Int'l PLC, (N.D. Cal., CV07-00791)
13. Spikings v. Bristol Farms, (C.D. Cal., CV06-8205)
14. Abiva v. Cache, Inc., (C.D. Cal., CV07-00556)
15. Aeschbacher v. California Pizza Kitchens, Inc., (C.D. Cal., CV07-00215)
16. Khorovsky v. California Pizza Kitchens, Inc., (C.D. Cal., CV07-0957)
17. Blanco v. CEC Entm't Concepts, L.P., (C.D. Cal., CV07-0559)
18. Price v. CEC Entm't, Inc., (C.D. Cal., CV07-00923)

19. Vigdorchik v. Century Theatres, Inc., (N.D. Cal., CV07-0736)
20. Khachomian v. Chanel, Inc., (C.D. Cal., CV07-0586)
21. Najarian v. Charlotte Russe, Inc., (C.D. Cal., CV07-0501)
22. Saunders v. Claim Jumper Enter., Inc., (C.D. Cal., CV07-0168)
23. Saunders v. Corner Bakery Café, (C.D. Cal., CV07-00998)
24. Spikings v. Cost Plus, Inc., (C.D. Cal., CV06-8125)
25. Grogan v. Daphne's Greek Café, (C.D. Cal., CV07-0959)
26. Bateman v. Discovery Communications, Inc., (C.D. Cal., CV07-00147)
27. Vartanian v. Estyle, Inc., (C.D. Cal., CV07-0307)
28. Hile v. Frederick's of Hollywood Stores, Inc., (N.D. Cal. CV07-0715)
29. Saunders v. Fuddrucker's Inc., (C.D. Cal., CV07-0953)
30. Lopez v. Gaucho Grill Corporation, (C.D. Cal., CV07- 00306)
31. Lopez v. The Gymboree Corp., (N.D. Cal., CV07-0087)
32. Mitchell v. The Gymboree Corp., (N.D. Cal., CV07-0739)
33. Farkash v. Harry and David, (C.D. Cal., CV07-00309)
34. Pirian v. In-N-Out Burgers, (C.D. Cal., CV06-1251)
35. Kesler v. IKEA U.S., Inc., (N.D. Cal., CV07-0714)
36. Soualian v. Int'l Coffee and Tea, LLC, (C.D. Cal., CV07-00502)
37. Plath v. Jamba Juice Co., (C.D. Cal., CV06-8180)
38. Saunders v. The Johnny Rockets Group, Inc., (C.D. Cal., CV07-0172)
39. Price v. K.B. Toys Retail, Inc., (C.D. Cal., CV07-00921)
40. Alvarado, Jr. v. Levi Strauss & Co., (C.D. Cal., CV07-1133)
41. McGee v. Levy Restaurants, (C.D. Cal., CV06-7762)
42. Kotozsky v. Longs Drug Stores Corp., (N.D. Cal., CV07-0713)

43. Saunders v. Louise's Tratorria, (C.D. Cal., CV07-1060)
44. Azoiani v. Love's Travel Stops & Country Stores, Inc., (C.D. Cal., CV07-0090)
45. Kelly v. LRW Investment Co., (C.D. Cal., CV06-8208)
46. Price v. Lucky Strike Entm't, Inc., (C.D. Cal., CV07-00960)
47. Saunders v. Mann Theatres, (C.D. Cal., CV07-01021)
48. Hall v. Marie Callender's Restaurant, (C.D. Cal., CV07-00956)
49. Saunders v. Marmalade LLC, (C.D. Cal., CV07-00970)
50. Hile v. Max Rave, LLC, (N.D. Cal., CV07-0738)
51. Negri v. MCS Burbank LLC, (C.D. Cal., CV07-00212)
52. Price v. Pacific Theaters, (C.D. Cal., CV07-00920)
53. Kelly v. PRG Parking Mgmt., LLC, (C.D. Cal., CV07-1134)
54. Hall v. Red Robin Burgers and Spirits Emporiums, (C.D. Cal., CV07-00978)
55. Bateman v. Regal Cinemas, Inc., (C.D. Cal., CV07-0052)
56. Armstrong v. Rite Aid Corp., (C.D. Cal., CV06-07716)
57. Shulman v. Rite Aid Hdqtrs. Corp., (C.D. Cal., CV06-7747)
58. Hile v. Ritz Camera Centers Inc., (N.D. Cal., CV07-0716)
59. McGee v. Ross Stores, Inc., (N.D. Cal., CV06-7496)
60. Wilson v. Ross Stores, Inc., (C.D. Cal., CV06-8156)
61. Saunders v. Roy's Family of Restaurants, Inc., (C.D. Cal., CV07-0164)
62. Bagumyan v. Shoe Pavilion, Inc., (C.D. Cal., CV07-00522)
63. Price v. Shoe Pavilion, Inc., (C.D. Cal., CV07-00968)
64. Miller v. Smart & Final Inc., (C.D. Cal., CV06-8155)
65. Clark v. Stein Mart, Inc., (C.D. Cal., CV07-00197)
66. Saunders v. T.G.I. Friday's, Inc., (C.D. Cal., CV07-0969)

67. Bersekian v. TJ Maxx of CA, LLC, (C.D. Cal., CV07-0503)
68. Hall v. Tony Roma's Arcadia, (C.D. Cal., CV07-01094)
69. Hall v. Top Robin Ventures, Inc., (C.D. Cal., CV07-03336)
70. Edwards v. Toys 'R' Us – Deleware, Inc., (C.D. Cal., CV06-08163)
71. Miller v. Toys 'R' Us – Deleware, Inc., (C.D. Cal., CV06-08181)
72. Tilzer v. Urban Outfitters, Inc., (C.D. Cal., CV07-00106)
73. Khorovsky v. The Vitamin Shoppe, (C.D. Cal., CV07-0997)
74. Torossian v. Vitamin Shoppe Indus., Inc., (C.D. Cal., CV07-00523)
75. Price v. The Wet Seal, Inc., (C.D. Cal., CV07-00922)
76. Bateman v. WF Cinema Holdings, L.P., (C.D. Cal., CV07-00213)

2. A true and correct copy of The Credit and Debit Card Receipt Clarification Act of 2007, H.R. 4008, 110th Cong. (2007), is attached as Exhibit B hereto.

DATED: November 19, 2007 SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: \_\_\_\_\_/s/  
Stephanie Sheridan  
Michael N. Westheimer  
Attorneys for Defendant  
TUMI, INC.

---

# EXHIBIT A

---



FILED

2007 JAN - 8 PM 3:51

CLERK OF DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

BY

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Eugelio Arcilla,  
individually and on behalf of all others  
7 similarly situated

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11  
12 EUGELIO ARCILLA, individually and  
on behalf of all others similarly situated,

13 Plaintiff

14  
15 v.

16 ADIDAS PROMOTIONAL RETAIL  
17 OPERATIONS, INC. and DOES 1-10,

18 Defendants.  
19  
20

\*CV07-00217  
CASE NO.

COMPLAINT

[CLASS ACTION]

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

GAF

(SHX)

21 Eugelio Arcilla ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.  
23

24 //

25 //

26 //

27 //

28 //

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Eugelio Arcilla ("Plaintiff"), on behalf of himself and all others similarly situated, brings this action against Adidas Promotional Retail Operations, Inc. and Does 1-10 (collectively "Defendants" or "ADIDAS") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los



Ira Spiro SBN 67641  
ira@spiromoss.com  
Gregory N. Karasik SBN 115834  
greg@spiromoss.com  
Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

Attorneys for Plaintiff  
MICHAEL BATEMAN

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL BATEMAN, individually  
and on behalf of all others similarly  
situated,

Plaintiffs

v.

AMERICAN MULTI-CINEMA, INC.;  
and DOES 1-10,

Defendants.

CASE NO.

CV 07-00171

CLASS ACTION

CLASS ACTION COMPLAINT  
FOR VIOLATION OF FAIR  
AND ACCURATE CREDIT  
TRANSACTIONS ACT

[15 U.S.C. § 1681c(g)]

DEMAND FOR JURY TRIAL

Michael Bateman ("Plaintiff"), individually and on behalf of all others  
similarly situated, alleges as follows.

**I. INTRODUCTION**

1. This is a class action for violation of the Fair and Accurate Credit  
Transactions Act ("FACTA"), which added 15 U.S.C. §1681c(g) to the Fair  
Reporting and Credit Act ("FRCA"). On behalf of himself and all others similarly  
situated, plaintiff Michael Bateman ("Plaintiff") brings this class action against

ORIGINAL

115  
20

1 defendants American Multi-Cinema, Inc. and Does 1-10 (collectively "Defendants")  
2 based on Defendants' practice of violating 15 U.S.C. §1681c(g). FACTA was enacted  
3 by Congress in 2003 to aid in the prevention of identity theft and credit/debit card  
4 fraud. Section 1681c(g) provides that "no person that accepts credit cards or debit  
5 cards for the transaction of business shall print more than the last five digits of the  
6 card number or the expiration date upon any receipt provided to the cardholder at the  
7 point of the sale or transaction." As used herein, the phrase "Prohibited Information"  
8 refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on  
9 receipts - i.e., more than the last five digits of the credit card or debit card number or  
10 the expiration date. Despite having had several years to bring themselves into  
11 compliance with the law, Defendants have willfully violated Section 1681c(g)  
12 repeatedly by printing Prohibited Information on credit card or debit card receipts  
13 issued to thousands of consumers. Based on these violations, Defendants are liable to  
14 Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C.  
15 § 1681n.

## 16 **II. THE PARTIES, JURISDICTION AND VENUE**

17 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. § 1681p  
18 and 28 U.S.C. § 1331. Venue is proper within this district pursuant to 28 U.S.C. §  
19 1391(b) because all named Defendants reside in this district and a substantial part of  
20 the events or omissions giving rise to the claim occurred in this district.

21 3. Plaintiff is a resident of the State of California and the County of Los  
22 Angeles, and is a "consumer" as defined by 15 U.S.C. § 1681a(c). Pursuant to the  
23 Federal Rules of Civil Procedure, Plaintiff seeks to represent a nationwide class of  
24 consumers, each who likewise constitutes a "consumer" under § 1681a(c).

25 4. Defendant American Multi-Cinemas, Inc. is a Missouri corporation  
26 which maintains its corporate headquarters in Kansas City, Missouri. Plaintiff is  
27 unaware of the true names of defendants Does 1 through 10. Said defendants are  
28 sued by said fictitious names, and the pleadings will be amended as necessary to

1 Douglas A. Linde, State Bar No. 217584 (dal@lindelaw.net)  
Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
2 Erica L. Allen, State Bar No. 234922  
THE LINDE LAW FIRM  
3 9000 Sunset Blvd., Suite 1025  
Los Angeles, CA 90069  
4 (310) 203-9333  
(310) 203-9233 FAX  
5 Attorneys for Plaintiff  
6 Tracy L. Wilson

7  
8  
9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11

12 TRACY L. WILSON, on behalf of  
herself and all others similarly situated,

13 Plaintiff,

14 v.

15 ANNA'S LINENS, INC.; and  
16 DOES 1 through 10, inclusive,

17 Defendants.  
18  
19

CASE NO. 07-0046

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

20  
21  
22 Plaintiff, by her attorneys, brings this action on her own behalf and on  
23 behalf of all others similarly situated, and alleges the following upon personal  
24 knowledge, or where there is not personal knowledge, upon information and  
25 belief:  
26  
27

## INTRODUCTION

1  
2 1. In 2003, Congress passed and the President signed, the Fair and  
3 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
4 and credit and debit card fraud. In the statement provided by the President during  
5 the signing of the bill, the President declared that:

6 "This bill also confronts the problem of identity theft. A growing  
7 number of Americans are victimized by criminals who assume their  
8 identities and cause havoc in their financial affairs. With this  
9 legislation, the Federal Government is protecting our citizens by  
10 taking the offensive against identity theft."

11 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
12 Fair Credit Reporting Act), provides that:

13 **"No person that accepts credit cards or debit cards for the**  
14 **transaction of business shall print more than the last 5 digits of**  
15 **the card number or the expiration date upon any receipt**  
16 **provided to the cardholder at the point of the sale or transaction."**

17 3. The law gave merchants who accept credit and/or debit cards up to  
18 three years to comply with its requirements, requiring full compliance with its  
19 provisions no later than December 4, 2006. Although defendant ANNA'S  
20 LINENS, INC. and the other Defendants named herein had up to three years to  
21 comply, Defendants have willfully violated this law and failed to protect Plaintiff  
22 and others similarly situated against identity theft and credit and debit card fraud  
23 by continuing to print more than the last five digits of the card number and or the  
24 expiration date on receipts provided to debit card and credit card cardholders  
25 transacting business with Defendants.

Case 4:07-cv-01377-SBA Document 1 Filed 03/08/2007 Page 1 of 14

Eric A. Grover, Esq. (CSB# 136080)  
 Jade Butman, Esq. (CSB# 235920)  
 Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel. (415) 543-1305

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel. (775) 284-1500

Scott A. Miller (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.E.-Filing**  
 16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 Tel. (818) 788-8081

Steven L. Miller (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900

Scot Bernstein (CSB# 94915)  
**LAW OFFICES OF SCOT BERNSTEIN**  
 10510 Superfortress Avenue, Suite C  
 Mather Field, California 95655  
 Tel. (916) 447-0100

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

ROBERT DISTER, on behalf of himself and all others similarly situated, ) Case No.: **1377**  
 ) **07**  
 ) **CLASS ACTION**  
 Plaintiff, )  
 ) **COMPLAINT FOR DAMAGES AND**  
 v. ) **INJUNCTIVE RELIEF**  
 )  
 APPLEBEE'S INTERNATIONAL, INC. and ) [15 U.S.C. §§ 1681 et seq.]  
 APPLE-BAY EAST, INC. )  
 ) **DEMAND FOR JURY TRIAL**  
 Defendants. )  
 )  
 )



1 Comes now Plaintiff Robert Dister ("Plaintiff") on behalf of himself and all others  
2 similarly situated and alleges as follows:

### 3 INTRODUCTION

4 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
5 Credit Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and  
6 debit card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."  
12

13 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
14 Credit Reporting Act) provides that:

15 "No person that accepts credit cards or debit cards for the transaction of  
16 business shall print more than the last five digits of the card number or the  
17 expiration date upon any receipt provided to the cardholder at the point of sale  
18 or transaction."  
19

20 3. The law gave merchants who accept credit card and/or debit cards up to three  
21 years to comply with its requirements, requiring full compliance with its provisions no later  
22 than December 4, 2006. Although Defendants APPLEBEE'S INTERNATIONAL, INC. and  
23 APPLE-BAY EAST, INC. (hereinafter "Defendants") had up to three years to comply,  
24 Defendants have willfully violated this law and failed to protect Plaintiff and others similarly  
25 situated against identity theft and credit card and debit card fraud by continuing to print more



1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Fredrick Najarian,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 FREDRICK NAJARIAN, individually  
and on behalf of all others similarly  
13 situated,

14 Plaintiff

15 v.

16  
17 AVIS RENT A CAR SYSTEM, LLC,  
18 AVIS RENT A CAR SYSTEM, INC.,  
19 AVIS BUDGET GROUP, INC. and  
DOES 1-10,  
20

21 Defendants.

CV 07 0500 RCK(E<sub>x</sub>)

CASE NO.

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

22 Fredrick Najarian ("Plaintiff"), individually and on behalf of all others  
23 similarly situated, alleges as follows.  
24 //  
25 //  
26 //  
27 //  
28

## **I. INTRODUCTION**

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Fredrick Najarian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Avis Rent A Car System, LLC, Avis Rent A Car System, Inc., Avis Budget Group, Inc. and Does 1-10 (collectively "Defendants" or "AVIS") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on electronically-printed credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

1 Ira Spiro  
2 SBN 67641, ira@spiromoss.com  
3 J. Mark Moore  
4 SBN 180473, mark@spiromoss.com  
5 Spiro Moss Barnes LLP  
6 11377 W. Olympic Blvd., Fifth Floor  
7 Los Angeles, CA 90064  
8 Telephone: (310) 235-2468  
9 Facsimile (310) 235-2456

10 Attorneys for Plaintiff Hagop Parseghian,  
11 individually and on behalf of all others  
12 similarly situated

13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 HAGOP PARSEGHIAN, individually  
16 and on behalf of all others similarly  
17 situated,

18 Plaintiff

19 v.

20 BALLY NORTH AMERICA,  
21 INCORPORATED, and DOES 1-10,

22 Defendants.

CASE NO.

CV 07-00347

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

23 Hagop Parseghian ("Plaintiff"), individually and on behalf of all others  
24 similarly situated, alleges as follows.  
25  
26  
27  
28

//

//

//

//

//

ORIGINAL

## **I. INTRODUCTION**

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Hagop Parseghian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Bally North America, Incorporated and Does 1-10 (collectively "Defendants" or "BALLY") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Tina Soualian,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12  
13 TINA SOUALIAN, individually and on  
behalf of all others similarly situated,

14 Plaintiff

15 v.  
16

17 BARNEYS NEW YORK, INC.,  
18 BARNEY'S, INC. WHICH WILL DO  
BUSINESS IN CALIFORNIA AS  
19 BARNEYS NEW YORK, and DOES 1-  
10,

20 Defendants.  
21  
22

CV 07 0558 JFW(FPM)

CASE NO.

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

23 Tina Soualian ("Plaintiff"), individually and on behalf of all others similarly  
24 situated, alleges as follows.

25 //

26 //

27 //

28 //

ORIGINAL



## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Tina Soualian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Barneys New York, Inc., Barney's, Inc. Which Will Do Business in California as Barneys New York, and Does 1-10 (collectively "Defendants" or "BARNEYS") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.



**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER**

**A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900, Fax (818) 990-7900

2007 FEB -9 PM 3:55  
FILED

IK  
S/20

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

BARBARA LIBMAN, on behalf of  
herself and all others  
similarly situated,

Plaintiff,

v.

BEBE STORES, INC.

Defendants.

CV-07-0972-ABC  
(Ex)

) Case No.:  
)  
) CLASS ACTION  
)  
) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF  
)  
) [15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

1 Comes now Plaintiff Barbara Libman ("Plaintiff") on behalf  
2 of herself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

Case 3:07-cv-00255-JSW Document 1 Filed 01/16/2007 Page 1 of 23

ORIGINAL  
FILED

JAN 16 AM 2:01

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Ira Spiro  
SBN 67641, ira@spirmoss.com  
J. Mark Moore  
SBN 180473, mark@spiomoss.com  
Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

Attorneys for Plaintiff Celine Yalenkatian,  
individually and on behalf of all others similarly situated

E-Filed

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

1 C 07 0255

CELINE YALENKATIAN, individually and on  
behalf of all others similarly situated,

Plaintiff

v.

BEBE STORES, INC. and DOES 1-10,

Defendants.

CASE NO.

COMPLAINT

DEMAND FOR JURY TRIAL

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

JSW

FAXED

Celine Yalenkatian ("Plaintiff"), individually and on behalf of all others similarly situated,  
alleges as follows.

//

//

//

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Celine Yalenkatian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Defendants Bebe Stores, Inc. and Does 1-10 (collectively "Defendants" or "BEBE") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts provided to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

### Jurisdiction

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper pursuant to 28 U.S.C. §1391(b) because the sole named defendant conducts business throughout this district and has violated the law here in the manner alleged herein, because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

### Intradistrict Assignment

3. This case should be assigned to this Division because a substantial part of the events or omissions which give rise to the claims alleged occurred within the geographic area covered by

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PATRICK GROGAN, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

BENIHANA ENCINO, BENIHANA  
 ENCINO CORPORATION, BENIHANA  
 INCORPORATED

Defendants.

) Case No. **CV07-00975 SW**  
 )  
 ) CLASS ACTION  
 )  
 ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

FILED  
 2007 FEB -9 PM 3:58  
 CLERK OF DISTRICT COURT  
 CENTRAL DISTRICT OF CALIF.

IS  
 w

1 Comes now Plaintiff Patrick Grogan ("Plaintiff") on behalf  
2 of himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,



1 Erica L. Allen, State Bar No. 234922 (ela@lindelaw.net)  
2 THE LINDE LAW FIRM  
3 9000 Sunset Blvd., Suite 1025  
4 Los Angeles, CA 90069  
5 (310) 203-9333  
6 (310) 203-9233 FAX

7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 ANNA ALTOMARE, on behalf of  
11 herself and all others similarly situated,

12 Plaintiff,

13 v.

14 BLOCKBUSTER INC.; and  
15 DOES 1 through 10, inclusive,

16 Defendants.

17 CASE NO.

18 COMPLAINT FOR DAMAGES  
19 AND INJUNCTIVE RELIEF  
20 CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

21 DEMAND FOR JURY TRIAL

22 Plaintiff, by her attorneys, brings this action on her own behalf and on  
23 behalf of all others similarly situated, and alleges the following upon personal  
24 knowledge, or where there is not personal knowledge, upon information and  
25 belief:

26 INTRODUCTION

27 1. In 2003, Congress passed and the President signed, the Fair and  
28

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF:  
AND DEMAND FOR JURY TRIAL

1 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
2 and credit and debit card fraud. In the statement provided by the President during  
3 the signing of the bill, the President declared that:

4 "This bill also confronts the problem of identity theft. A growing  
5 number of Americans are victimized by criminals who assume their  
6 identities and cause havoc in their financial affairs. With this  
7 legislation, the Federal Government is protecting our citizens by  
8 taking the offensive against identity theft."

9 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
10 Fair Credit Reporting Act), provides that:

11 "No person that accepts credit cards or debit cards for the  
12 transaction of business shall print more than the last 5 digits of  
13 the card number or the expiration date upon any receipt  
14 provided to the cardholder at the point of the sale or transaction."

15 3. The law gave merchants who accept credit and/or debit cards up to  
16 three years to comply with its requirements, requiring full compliance with its  
17 provisions no later than December 4, 2006. Although defendant  
18 BLOCKBUSTER INC. and the other Defendants named herein had up to three  
19 years to comply, Defendants have willfully violated this law and failed to protect  
20 Plaintiff and others similarly situated against identity theft and credit and debit  
21 card fraud by continuing to print more than the last five digits of the card number  
22 and or the expiration date on receipts provided to debit card and credit card  
23 cardholders transacting business with Defendants.

24 4. Plaintiff on behalf of herself and all others similarly situated brings  
25 this action against BLOCKBUSTER INC. and DOES 1 through 10 (hereinafter  
26 collectively referred to as "Defendants") based on Defendants' violations of 15

Case 3:07-cv-00791-JSW Document 1 Filed 02/07/2007 Page 1 of 14

Eric A. Grover, Esq. (CSB# 136080)  
Jade Butman (CSB# 235920)  
Elizabeth A. Acevedo (CSB# 227347)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel. (415) 543-1305  
Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd, Suite 1200  
Encino, California 91436  
Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**  
16133 Ventura Blvd, Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900

**ORIGINAL  
FILED**

**FEB - 7 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

*E-filing*

**JSW**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ZACHARY HILE, on behalf of himself and all others similarly situated,

Plaintiff,

v.

THE BODY SHOP INTERNATIONAL PLC  
and THE BODY SHOP, INC.

Defendants.

**Case No. 07 0791**

) **CLASS ACTION**

) **COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF**

) **[15 U.S.C. §§ 1681 et seq.]**

) **DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Zachary Hile ("Plaintiff") on behalf of himself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1. In 2003, Congress passed and the President signed the Fair and Accurate  
5 Credit Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and  
6 debit card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."  
12

13 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
14 Credit Reporting Act) provides that:

15 "No person that accepts credit cards or debit cards for the transaction of  
16 business shall print more than the last five digits of the card number or the  
17 expiration date upon any receipt provided to the cardholder at the point of sale  
18 or transaction."  
19

20 3. The law gave merchants who accept credit card and/or debit cards up to three  
21 years to comply with its requirements, requiring full compliance with its provisions no later  
22 than December 4, 2006. Although Defendants THE BODY SHOP INTERNATIONAL PLC  
23 and THE BODY SHOP, INC. (hereinafter collectively referred to as "Defendants" or "The  
24 Body Shop") had up to three years to comply, Defendants have willfully violated this law and  
25 failed to protect Plaintiff and others similarly situated against identity theft and credit card and

1 Douglas A. Linde, State Bar No. 234922 (dal@lindelaw.net)  
2 THE LINDE LAW FIRM  
3 9000 Sunset Blvd., Suite 1025  
4 Los Angeles, CA 90069  
5 (310) 203-9333  
6 (310) 203-9233 FAX  
7  
8 Attorneys for Plaintiff  
9

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 KATHERINE E. SPIKINGS, on behalf  
13 of herself and all others similarly  
14 situated,

15 Plaintiff,

16 v.

17 BRISTOL FARMS; and  
18 DOES 1 through 10, inclusive,

19 Defendants.

20 CV 06 8205 DD(R2\*)  
21 CASE NO.

22 COMPLAINT FOR DAMAGES  
23 AND INJUNCTIVE RELIEF  
24 CLASS ACTION

25 [15 U.S.C. §§ 1681 et seq.]

26 DEMAND FOR JURY TRIAL  
27

28 Plaintiff, by her attorneys, brings this action on her own behalf and on  
behalf of all others similarly situated, and alleges the following upon personal  
knowledge, or where there is not personal knowledge, upon information and  
belief:

INTRODUCTION

1. In 2003, Congress passed and the President signed, the Fair and  
Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
and credit and debit card fraud. In the statement provided by the President during



1 the signing of the bill, the President declared that:

2 "This bill also confronts the problem of identity theft. A growing  
3 number of Americans are victimized by criminals who assume their  
4 identities and cause havoc in their financial affairs. With this  
5 legislation, the Federal Government is protecting our citizens by  
6 taking the offensive against identity theft."

7 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
8 Fair Credit Reporting Act), provides that:

9 "No person that accepts credit cards or debit cards for the  
10 transaction of business shall print more than the last 5 digits of  
11 the card number or the expiration date upon any receipt  
12 provided to the cardholder at the point of the sale or transaction."

13 3. The law gave merchants who accept credit and/or debit cards up to  
14 three years to comply with its requirements, requiring full compliance with its  
15 provisions no later than December 4, 2006. Although Defendant BRISTOL  
16 FARMS and the other Defendants named herein had up to three years to comply,  
17 Defendants have willfully violated this law and failed to protect Plaintiff and  
18 others similarly situated against identity theft and credit and debit card fraud by  
19 continuing to print more than the last five digits of the card number and or the  
20 expiration date on receipts provided to debit card and credit card cardholders  
21 transacting business with Defendants.

22 4. Plaintiff on behalf of herself and all others similarly situated brings  
23 this action against BRISTOL FARMS and DOES 1 through 10 (hereinafter  
24 collectively referred to as "Defendants") based on Defendants' violations of 15  
25 U.S.C. §§ 1681 et seq.



1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barness LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiffs Gloria Abiva  
and Esgouhi Babanian, individually and on  
7 behalf of all others similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12  
13 GLORIA ABIVA and ESGOUHI  
BABANIAN, individually and on behalf  
14 of all others similarly situated,

15 Plaintiffs,

16 v.

17 CACHE, INC. and DOES 1-10,

18 Defendants.  
19  
20  
21

22 CASE NO.

23 **COMPLAINT**

24 CLASS ACTION

25 [15 U.S.C. §§ 1681 et seq.]

26 **DEMAND FOR JURY TRIAL**  
27  
28

22 Gloria Abiva and Esgouhi Babanian ("Plaintiffs"), individually and on behalf  
23 of all others similarly situated, allege as follows.

24 //

25 //

26 //

27 //

28 //

ORIGINAL

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiffs Gloria Abiva and Esgouhi Babanian ("Plaintiffs"), individually and on behalf of all others similarly situated, bring this action against Cache, Inc. and Does 1-10 (collectively "Defendants" or "CACHE") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on electronically-printed credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiffs and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiffs Gloria Abiva and Esgouhi Babanian are residents of the State

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Fabiola Aeschbacher,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

12 **FABIOLÁ AESCHBACHER,**  
individually and on behalf of all others  
13 similarly situated,

14 Plaintiff

15 v.

17 **CALIFORNIA PIZZA KITCHEN, INC.**  
and DOES 1-10,  
18

19 Defendants.  
20

CASE NO.

**CV07-00215** RGK (JW/K)

**COMPLAINT**

[CLASS ACTION]

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

21 Fabiola Aeschbacher ("Plaintiff"), individually and on behalf of all others  
22 similarly situated, alleges as follows.  
23

24 //

25 //

26 //

27 //

28 //

ORIGINAL

## **I. INTRODUCTION**

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Fabiola Aeschbacher ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against California Pizza Kitchen, Inc. and Does 1-10 (collectively "Defendants" or "CPK") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

**ORIGINAL**

1 Eric A. Grover, Esq. (CSB# 136080)  
 2 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 3 425 Second Street, Suite 500  
 4 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

5 Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 6 7287 Lakeside Drive  
 Reno, Nevada 89511  
 7 Tel: (775) 284-1500, Fax (775) 703-5027

8 Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 9 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 10 Tel: (818) 788-8081, Fax (818) 788-8080

11 Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 12 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 13 Tel. (818) 986-8900, Fax (818) 990-7900

15 UNITED STATES DISTRICT COURT

16 CENTRAL DISTRICT OF CALIFORNIA

17 ERIK J. KHOROVSKY, on behalf of ) Case No.:  
 18 himself and all others )  
 19 similarly situated, ) CLASS ACTION

20 Plaintiff, ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF

21 v. )

22 CALIFORNIA PIZZA KITCHEN, INC. )

23 Defendants. )

**DEMAND FOR JURY TRIAL**

FILED

2007 FEB -9 PM 5:05

CV-07-0957-GAF

(JCL)

I/S  
S/20



1 Comes now Plaintiff Erik J. Khorovsky ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,



Ira Spiro  
SBN 67641, ira@spiromoss.com  
J. Mark Moore  
SBN 180473, mark@spiromoss.com  
Spiro Moss Barness LLP  
11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

Attorneys for Plaintiff Veronica Blanco,  
individually and on behalf of all others  
similarly situated

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

VERONICA BLANCO, individually and  
on behalf of all others similarly situated,

Plaintiff

v.

CEC ENTERTAINMENT CONCEPTS,  
L.P., CEC ENTERTAINMENT, INC.,  
NOR-CAL CHUCK E. CHEESE, LLC,  
and DOES 1-10,

Defendants.

CV-07-0559 - GPS (JWSx)

CASE NO.

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

Veronica Blanco ("Plaintiff"), individually and on behalf of all others similarly  
situated, alleges as follows.

//

//

//

//

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Veronica Blanco ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against CEC Entertainment Concepts, LP, CEC Entertainment, Inc., Nor-Cal Chuck E. Cheese, LLC and Does 1-10 (collectively "Defendants" or "CHUCK E. CHEESE") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

**ORIGINAL**

1 Eric A. Grover, Esq. (CSB# 136080)  
2 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
3 **KELLER GROVER LLP**  
4 425 Second Street, Suite 500  
5 San Francisco, California 94107  
6 Tel: (415) 543-1305, Fax (415) 543-7681

7 Mark R. Thierman, Esq. (CSB# 72913)  
8 **THIERMAN LAW FIRM**  
9 7287 Lakeside Drive  
10 Reno, Nevada 89511  
11 Tel: (775) 284-1500, Fax (775) 703-5027

12 Scott A. Miller, Esq. (CSB# 230322)  
13 **LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
14 16133 Ventura Blvd., Suite 1200  
15 Encino, California 91436  
16 Tel: (818) 788-8081, Fax (818) 788-8080

17 Steven L. Miller, Esq. (CSB# 106023)  
18 **STEVEN L. MILLER**  
19 **A PROFESSIONAL LAW CORPORATION**  
20 16133 Ventura Blvd., Suite 1200  
21 Encino, California 91436  
22 Tel. (818) 986-8900, Fax (818) 990-7900

23 UNITED STATES DISTRICT COURT

24 CENTRAL DISTRICT OF CALIFORNIA

25 JOEL PRICE, on behalf of  
himself and all others  
similarly situated,

Plaintiff,

v.

CEC ENTERTAINMENT, INC., CEC  
ENTERTAINMENT CONCEPTS, L.P.

Defendants.

) Case No. **CV 07-00923 GAF/Ex**  
)  
) CLASS ACTION  
)  
) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF  
)  
) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Joel Price ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed,  
6 the Fair and Accurate Credit Transaction Act ("FACTA") to  
7 assist in the prevention of identity theft and credit and debit  
8 card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

1 Eric A. Grover, Esq. (CSB# 136080)  
 Jade Butman, Esq. (CSB# 235920)  
 2 Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
 3 425 Second Street, Suite 500  
 San Francisco, California 94107  
 4 Tel. (415) 543-1305  
 5 Fax (415) 543-7681

6 Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7 7287 Lakeside Drive  
 Reno, Nevada 89511  
 8 Tel: (775) 284-1500

9 Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 10 16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 11 Tel. (818) 788-8081

12 Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**  
 13 16133 Ventura Blvd. Suite 1200  
 14 Encino, California 91436  
 Tel. (818) 986-8900

15  
 16 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

17 **INNA VIGDORCHIK**, on behalf of herself  
 18 and all others similarly situated,

19 Plaintiff,

20 v.

21 **CENTURY THEATRES, INC., and**  
 22 **CINEMARK USA, INC.**

23 Defendants.

) **CLASS ACTION**  
 )  
 ) **COMPLAINT FOR DAMAGES AND**  
 ) **INJUNCTIVE RELIEF**  
 )  
 ) **[15 U.S.C. §§ 1681 et seq.]**  
 )  
 ) **DEMAND FOR JURY TRIAL**  
 )  
 )

*Richard W. Wieking*  
**FILED**  
 FEB - 5 2007  
 RICHARD W. WIEKING  
 CLERK U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

*filed*

**MMC**

**FC 07 0736**



1 Comes now Plaintiff Inna Vigdorichik ("Plaintiff") on behalf of herself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
5 Credit Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and  
6 debit card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."  
12

13 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
14 Credit Reporting Act) provides that:

15 "No person that accepts credit cards or debit cards for the transaction of  
16 business shall print more than the last five digits of the card number or the  
17 expiration date upon any receipt provided to the cardholder at the point of sale  
18 or transaction."  
19

20 3. The law gave merchants who accept credit card and/or debit cards up to three  
21 years to comply with its requirements, requiring full compliance with its provisions no later  
22 than December 4, 2006. Although Defendants CENTURY THEATRES, INC. and  
23 CINEMARK USA, INC (hereinafter collectively referred to as "Defendants" or  
24 "CENTURY") had up to three years to comply, Defendants have willfully violated this law  
25 and failed to protect Plaintiff and others similarly situated against identity theft and credit card



1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barness LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Ramela Khachomian,  
7 individually and on behalf of all others  
similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 **CV 07 0586 DS** *MAX*

12 **RAMELA KHACHOMIAN,**  
13 **individually and on behalf of all others**  
14 **similarly situated,**

15 **Plaintiff**

16 **v.**

17 **CHANEL, INC. and DOES 1-10,**

18 **Defendants.**  
19  
20

**CASE NO.**

**COMPLAINT**

**CLASS ACTION**

**[15 U.S.C. §§ 1681 et seq.]**

**DEMAND FOR JURY TRIAL**

21  
22 **Ramela Khachomian ("Plaintiff"), individually and on behalf of all others**  
23 **similarly situated, alleges as follows.**

24 **//**

25 **//**

26 **//**

27 **//**

28 **//**

## **I. INTRODUCTION**

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Ramela Khachomian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against defendants Chanel, Inc. and Does 1-10 (collectively "Defendants" or "CHANEL") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on electronically-printed credit card or debit card receipts issued to thousands of consumers, including Plaintiff. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barness LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Frida Najarian,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 FRIDA NAJARIAN, individually and on )  
behalf of all others similarly situated, )

13 Plaintiff

14  
15 v.

16  
17 CHARLOTTE RUSSE, INC.,  
CHARLOTTE RUSSE HOLDING, INC.  
and DOES 1-10,  
18

19 Defendants.  
20

CASE NO.

**CV 07 0501** RGK(CTx)

**COMPLAINT**

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

21 Frida Najarian ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.  
23

24 //

25 //

26 //

27 //

28 //

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Frida Najarian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Charlotte Russe, Inc., Charlotte Russe Holding, Inc. and Does 1-10 (collectively "Defendants" or "CHARLOTTE RUSSE") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER**

**A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
himself and all others  
similarly situated,

Plaintiff,

v.

CLAIM JUMPER ENTERPRISES, INC.,

Defendants.

) Case No.:  
)  
)  
) CLASS ACTION  
)  
) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF  
)  
) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**



1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

## UNITED STATES DISTRICT COURT

## CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

CORNER BAKERY CAFE, CBC  
 RESTAURANT CORP.

Defendants.

) Case No. 07-00998 DDP (aw) x  
 )  
 ) CLASS ACTION  
 )  
 ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

1 Douglas A. Linde, State Bar No. 217584 (dal@lindelaw.net)  
2 Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
3 Erica L. Allen, State Bar. No. 234922 (ela@lindelaw.net)  
4 THE LINDE LAW FIRM  
5 9000 Sunset Blvd., Suite 1025  
6 Los Angeles, CA 90069  
7 (310) 203-9333  
8 (310) 203-9233 FAX

9 Attorneys for Plaintiff

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

KATHERINE E. SPIKINGS, on behalf  
of herself and all others similarly  
situated,

Plaintiff,

v.

COST PLUS, INC., and DOES 1 through  
10, inclusive,

Defendants.

CV 06 8125 JFW/AST(x)  
CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

Plaintiff, by her attorneys, brings this action on her own behalf and on  
behalf of all others similarly situated, and alleges the following upon personal  
knowledge, or where there is not personal knowledge, upon information and  
belief:

**INTRODUCTION**

I. In 2003, Congress passed and the President signed, the Fair and  
Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
and credit and debit card fraud. In the statement provided by the President during  
the signing of the bill, the President declared that:

1 "This bill also confronts the problem of identity theft. A growing  
2 number of Americans are victimized by criminals who assume their  
3 identities and cause havoc in their financial affairs. With this  
4 legislation, the Federal Government is protecting our citizens by  
5 taking the offensive against identity theft."

6 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
7 Fair Credit Reporting Act), provides that:

8 "No person that accepts credit cards or debit cards for the  
9 transaction of business shall print more than the last 5 digits of  
10 the card number or the expiration date upon any receipt  
11 provided to the cardholder at the point of the sale or transaction."

12 3. The law gave merchants who accept credit and/or debit cards up to  
13 three years to comply with its requirements, requiring full compliance with its  
14 provisions no later than December 4, 2006. Although COST PLUS, INC., and  
15 the other Defendants named herein had up to three years to comply, Defendants  
16 have willfully violated this law and failed to protect Plaintiff and others similarly  
17 situated against identity theft and credit and debit card fraud by continuing to  
18 print more than the last five digits of the card number and or the expiration date  
19 on receipts provided to debit card and credit card cardholders transacting business  
20 with Defendants.

21 4. Plaintiff on behalf of herself and all other similarly situated brings  
22 this action against COST PLUS, INC., and DOES 1 through 10 (hereinafter  
23 collectively referred to as "Defendants") based on Defendants' violations of 15  
24 U.S.C. §§ 1681 et seq.

25 5. Plaintiff seeks, on behalf of herself and the class, statutory damages,  
26 punitive damages, costs and attorneys fees, all of which are expressly made



**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER****A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

## UNITED STATES DISTRICT COURT

## CENTRAL DISTRICT OF CALIFORNIA

PATRICK GROGAN, on behalf of ) Case No.: **CY-07-0959-SVW**  
 himself and all others )  
 similarly situated, ) **(CTx)**  
 ) CLASS ACTION  
 )  
 Plaintiff, ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 v. )  
 ) [15 U.S.C. §§ 1681 et seq.]  
 DAPHNE'S GREEK CAFÉ, FILI )  
 ENTERPRISES, INC. )  
 ) **DEMAND FOR JURY TRIAL**  
 Defendants. )

1 Comes now Plaintiff Patrick Grogan ("Plaintiff") on behalf  
2 of himself and all others similarly situated and alleges as  
3 follows:

4 INTRODUCTION

5 1. In 2003, Congress passed and the President signed,  
6 the Fair and Accurate Credit Transaction Act ("FACTA") to  
7 assist in the prevention of identity theft and credit and debit  
8 card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
legislation, the Federal Government is protecting our  
citizens by taking the offensive against identity  
theft."

14 2. A main provision of FACTA (codified as 15 U.S.C. §  
15 1681(c)(g) of the Fair Credit Reporting Act) provides that:

16 "No person that accepts credit cards or debit cards  
17 for the transaction of business shall print more than  
18 the last five digits of the card number or the  
19 expiration date upon any receipt provided to the  
20 cardholder at the point of sale or transaction."

21 3. The law gave merchants who accept credit card and/or  
22 debit cards up to three years to comply with its requirements,  
23 requiring full compliance with its provisions no later than  
24 December 4, 2006. Although Defendants DAPHNE'S GREEK CAFÉ,  
25 FILI ENTERPRISES, INC. (hereinafter collectively referred to as

FILED

Ira Spiro SBN 67641  
ira@spiromoss.com  
Gregory N. Karasik SBN 115834  
greg@spiromoss.com  
Spiro Moss Barness LLP<sup>1</sup>  
11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

2007 JAN -4 PM 3:42

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

Attorneys for Plaintiff  
MICHAEL BATEMAN

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL BATEMAN, individually  
and on behalf of all others similarly  
situated,

Plaintiffs

v.

DISCOVERY COMMUNICATIONS,  
INC.; and DOES 1-10,

Defendants.

CASE NO. CV 07-00147

CLASS ACTION GPS PLA<sub>x</sub>

CLASS ACTION COMPLAINT  
FOR VIOLATION OF FAIR  
AND ACCURATE  
TRANSACTIONS ACT

[15 U.S.C. § 1681c(g)]

DEMAND FOR JURY TRIAL

Michael Bateman ("Plaintiff"), individually and on behalf of all others  
similarly situated, alleges as follows.

**I. INTRODUCTION**

1. This is a class action for violation of the Fair and Accurate Credit  
Transactions Act ("FACTA"), which added 15 U.S.C. §1681c(g) to the Fair  
Reporting and Credit Act ("FRCA"). On behalf of himself and all others similarly

<sup>1</sup> The firm is in the process of changing its name from "Spiro  
Moss Barness & Barge LLP" to "Spiro Moss Barness LLP."

COPY

1 situated, plaintiff Michael Bateman ("Plaintiff") brings this class action against  
2 defendants Discovery Communications, Inc. and Does 1-10 (collectively  
3 "Defendants") based on Defendants' practice of violating 15 U.S.C. §1681c(g).  
4 FACTA was enacted by Congress in 2003 to aid in the prevention of identity theft  
5 and credit/debit card fraud. Section 1681c(g) provides that "no person that accepts  
6 credit cards or debit cards for the transaction of business shall print more than the last  
7 five digits of the card number or the expiration date upon any receipt provided to the  
8 cardholder at the point of the sale or transaction." As used herein, the phrase  
9 "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g)  
10 prohibits from being printed on receipts - i.e., more than the last five digits of the  
11 credit card or debit card number or the expiration date. Despite having had several  
12 years to bring themselves into compliance with the law, Defendants have willfully  
13 violated Section 1681c(g) repeatedly by printing Prohibited Information on credit  
14 card or debit card receipts issued to thousands of consumers. Based on these  
15 violations, Defendants are liable to Plaintiff and the proposed class of other similarly  
16 situated consumers under 15 U.S.C. § 1681n.

## 17 **II. THE PARTIES, JURISDICTION AND VENUE**

18 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. § 1681p  
19 and 28 U.S.C. § 1331. Venue is proper within this district pursuant to 28 U.S.C. §  
20 1391(b) because all named Defendants reside in this district and a substantial part of  
21 the events or omissions giving rise to the claim occurred in this district.

22 3. Plaintiff is a resident of the State of California and the County of Los  
23 Angeles, and is a "consumer" as defined by 15 U.S.C. § 1681a(c). Pursuant to the  
24 Federal Rules of Civil Procedure, Plaintiff seeks to represent a nationwide class of  
25 consumers, each who likewise constitutes a "consumer" under § 1681a(c).

26 4. Defendant Discovery Communications, Inc. is a Delaware corporation  
27 which maintains its corporate headquarters in Silver Springs, Maryland. Plaintiff is  
28 unaware of the true names of defendants Does 1 through 10. Said defendants are

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barness LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

SDNL

6 Attorneys for Plaintiff Lala Vartanian,  
individually and on behalf of all others  
7 similarly situated

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11  
12 LALA VARTANIAN, individually and  
on behalf of all others similarly situated,

13 Plaintiff

14  
15 v.

16 ESTYLE, INC. and DOES 1-10,

17 Defendants.  
18  
19

CASE NO. CV 07 0307

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

20  
21 Lala Vartanian ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.

23 //

24 //

25 //

26 //

27 //

28



## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Lala Vartanian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against eStyle, Inc., dba babystyle and Does 1-10 (collectively "Defendants" or "BABYSTYLE") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit-card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

Case 3:07-cv-00715-SC Document 1 Filed 02/02/2007 Page 1 of 13

Eric A. Grover, Esq. (CSB# 136080)  
Jade Butman, Esq. (CSB# 235920)  
Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel. (415) 543-1305  
Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW COPRORATION**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ZACHARY HILE, on behalf of himself and all others similarly situated,

Plaintiff,

v.

**FREDERICK'S OF HOLLYWOOD  
STORES, INC., FREDERICK'S OF  
HOLLYWOOD, INC.**

Defendants.

**C 07 0715**

) CLASS ACTION

) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF

) [15 U.S.C. §§ 1681 et seq.]

) DEMAND FOR JURY TRIAL

1 Comes now Plaintiff Zachary Hile ("Plaintiff") on behalf of himself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1. In 2003, Congress passed and the President signed the Fair and Accurate  
5 Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and debit  
6 card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."

12 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
13 Credit Reporting Act) provides that:

14 "No person that accepts credit cards or debit cards for the transaction of  
15 business shall print more than the last five digits of the card number or the  
16 expiration date upon any receipt provided to the cardholder at the point of sale  
17 or transaction."

18 3. The law gave merchants who accept credit card and/or debit cards up to three  
19 years to comply with its requirements, requiring full compliance with its provisions no later  
20 than December 4, 2006. Although Defendants FREDERICK'S OF HOLLYWOOD STORES,  
21 INC. and FREDERICK'S OF HOLLYWOOD, INC. (hereinafter collectively referred to as  
22 "Defendants" or "FREDERICK'S") had up to three years to comply, Defendants have  
23 willfully violated this law and failed to protect Plaintiff and others similarly situated against  
24  
25

**ORIGINAL**

1 Eric A. Grover, Esq. (CSB# 136080)  
 2 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 3 425 Second Street, Suite 500  
 4 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

5 Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 6 7287 Lakeside Drive  
 Reno, Nevada 89511  
 7 Tel: (775) 284-1500, Fax (775) 703-5027

8 Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 9 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 10 Tel: (818) 788-8081, Fax (818) 788-8080

11 Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 12 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 13 Tel. (818) 986-8900, Fax (818) 990-7900

14  
 15 UNITED STATES DISTRICT COURT

16 CENTRAL DISTRICT OF CALIFORNIA

17 MICHAEL SAUNDERS, on behalf of )  
 18 himself and all others ) Case No.: **CV-07-0953-MMM**  
 19 similarly situated, ) **(RZX)**  
 ) CLASS ACTION  
 )  
 20 Plaintiff, ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 21 v. )  
 ) [15 U.S.C. §§ 1681 et seq.]  
 22 FUDDRUCKER'S INC. )  
 )  
 23 Defendants. ) **DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,



1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Jesus Lopez,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 JESUS LOPEZ, individually and on  
behalf of all others similarly situated,

13 Plaintiff

14  
15 v.

16 GAUCHO GRILL CORPORATION and  
17 DOES 1-10,

18 Defendants.  
19  
20

CAC 107  
CASE NO.

CV 07-00306

COMPLAINT CAS (VBKX)

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

21 Jesus Lopez ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.  
23

//

//

//

//

//

//

28

ORIGINAL

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Jesus Lopez ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Gaucho Grill Corporation and Does 1-10 (collectively "Defendants" or "GAUCHO GRILL") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

01/05/2007 14:09 FAX 310 235 2456

ATTORNEYS- SMOB&amp;B LLP

005

1 Ira Spiro  
 2 SBN 67641, ira@spiromoss.com  
 3 J. Mark Moore  
 4 SBN 180473, mark@spiromoss.com  
 5 Spiro Moss Barnes LLP<sup>1</sup>  
 11377 W. Olympic Blvd., Fifth Floor  
 6 Los Angeles, CA 90064  
 7 Telephone: (310) 235-2468  
 8 Facsimile (310) 235-2456

9 Attorneys for Plaintiff Jennifer Lopez,  
 10 individually and on behalf of all others  
 11 similarly situated

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

SI

14 JENNIFER LOPEZ, individually and on behalf  
 15 of all others similarly situated,

16 Plaintiff

17 v.

18 THE GYMBOREE CORPORATION and  
 19 DOES 1-10,

20 Defendants.

C 07 0087

CASE NO.

COMPLAINT

DEMAND FOR JURY TRIAL

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

21 Jennifer Lopez ("Plaintiff"), individually and on behalf of all others similarly situated, alleges  
 22 as follows.

23 //

24 //

25 //

26 //

27

28 <sup>1</sup>The law firm is in the process of changing its name from Spiro Moss Barnes & Barge LLP  
 to Spiro Moss Barnes LLP.

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Jennifer Lopez ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against The Gymboree Corporation and Does 1-10 (collectively "Defendants" or "GYMBOREE") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts provided to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

### Jurisdiction

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper pursuant to 28 U.S.C. §1391(b) because the sole named defendant conducts business throughout this district, is headquartered here, and has violated the law here in the manner alleged herein, because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

### Intradistrict Assignment

3. This case should be assigned to this Division because a substantial part of the events

Case 3:07-cv-00739-SI Document 1 Filed 02/05/2007 Page 1 of 7

Eric A. Grover, Esq. (CSB# 136080)  
 Jade Butman, Esq. (CSB# 235920)  
 Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel. (415) 543-1305  
 Fax (415) 543-7681

ORIGINAL  
FILED

FEB - 5 2007

RICHARD W. WHITTING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900

WHA

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

DANA MITCHELL, on behalf of herself and  
 all others similarly situated,

Plaintiff,

v.

THE GYMBOREE CORPORATION, and  
 GYMBOREE RETAIL STORES, INC.

Defendants.

Case No.:

0739

CLASS ACTION

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL



1 Comes now Plaintiff Dana Mitchell ("Plaintiff") on behalf of herself and all others  
2 similarly situated and alleges as follows:

3  
4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
6 Credit Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and  
7 debit card fraud. In the statement provided by the President during the signing of the bill, the  
8 President declared that:

9 "This bill also confronts the problem of identity theft. A growing number of  
10 Americans are victimized by criminals who assume their identities and cause  
11 havoc in their financial affairs. With this legislation, the Federal Government  
12 is protecting our citizens by taking the offensive against identity theft."

13 2. A main provision of FACTA (codified as 15 U.S.C. § 1681e(g) of the Fair  
14 Credit Reporting Act) provides that:

15 "No person that accepts credit cards or debit cards for the transaction of  
16 business shall print more than the last five digits of the card number or the  
17 expiration date upon any receipt provided to the cardholder at the point of sale  
18 or transaction."

19 3. The law gave merchants who accept credit card and/or debit cards up to three  
20 years to comply with its requirements, requiring full compliance with its provisions no later  
21 than December 4, 2006. Although Defendants THE GYMBOREE CORPORATION and  
22 GYMBOREE RETAIL STORES, INC. (hereinafter collectively referred to as "Defendants"  
23 or "GYMBOREE") had up to three years to comply, Defendants have willfully violated this  
24 law and failed to protect Plaintiff and others similarly situated against identity theft and credit  
25

1 Ira Spiro  
2 SBN 67641, ira@spiromoss.com  
3 J. Mark Moore  
4 SBN 180473, mark@spiromoss.com  
5 Spiro Moss Barness LLP  
6 11377 W. Olympic Blvd., Fifth Floor  
7 Los Angeles, CA 90064  
8 Telephone: (310) 235-2468  
9 Facsimile (310) 235-2456

10 Attorneys for Plaintiff Erez Farkash,  
11 individually and on behalf of all others  
12 similarly situated

13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 EREZ FARKASH, individually and on  
16 behalf of all others similarly situated,

17 Plaintiff

18 v.

19 HARRY AND DAVID and DOES 1-10,

20 Defendants.

CASE NO.

CV07-00309

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

21 Erez Farkash ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.

23 //

24 //

25 //

26 //

27 //

28

ORIGINAL

## **I. INTRODUCTION**

1  
2 1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15  
3 U.S.C. §1681 *et seq.* Plaintiff Erez Farkash ("Plaintiff"), individually and on behalf  
4 of all others similarly situated, brings this action against Harry and David and Does 1-  
5 10 (collectively "Defendants" or "HARRY AND DAVID") based on Defendants'  
6 practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit  
7 Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the  
8 prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g)  
9 provides that "no person that accepts credit cards or debit cards for the transaction of  
10 business shall print more than the last five digits of the card number or the expiration  
11 date upon any receipt provided to the cardholder at the point of the sale or  
12 transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information"  
13 refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on  
14 receipts - i.e., more than the last five digits of the credit card or debit card number or  
15 the expiration date of the card. Despite having had several years to bring themselves  
16 into compliance with the law, Defendants have willfully violated Section 1681c(g)  
17 repeatedly by printing Prohibited Information on credit card or debit card receipts  
18 issued to thousands of consumers. Based on these violations, Defendants are liable to  
19 Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C.  
20 § 1681n.

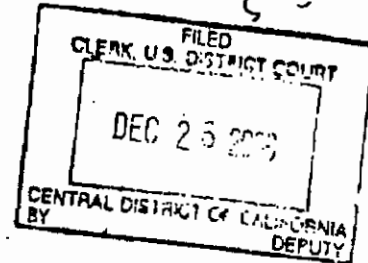
## **II. THE PARTIES, JURISDICTION AND VENUE**

21  
22 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p  
23 and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28  
24 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to  
25 the claims occurred in this district, and because there is personal jurisdiction in this  
26 district over the sole named defendant.

27  
28 3. Plaintiff is a resident of the State of California and the County of Los

Erica L. Allen, State Bar No. 234922 (ela@lindelaw.net)  
THE LINDE LAW FIRM  
9000 Sunset Blvd., Suite 1025  
Los Angeles, CA 90069  
(310) 203-9333  
(310) 203-9233 FAX

Attorneys for Plaintiff



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ANRIETTE PIRIAN, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

IN-N-OUT BURGERS; and  
DOES 1 through 10, inclusive,

Defendants.

SACV06 1251 DOC (MLG)  
CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

Plaintiff, by her attorneys, brings this action on her own behalf and on behalf of all others similarly situated, and alleges the following upon personal knowledge, or where there is not personal knowledge, upon information and belief:

INTRODUCTION

1. In 2003, Congress passed and the President signed, the Fair and Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft

1 and credit and debit card fraud. In the statement provided by the President during  
2 the signing of the bill, the President declared that:

3 "This bill also confronts the problem of identity theft. A growing  
4 number of Americans are victimized by criminals who assume their  
5 identities and cause havoc in their financial affairs. With this  
6 legislation, the Federal Government is protecting our citizens by  
7 taking the offensive against identity theft."

8 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
9 Fair Credit Reporting Act), provides that:

10 "No person that accepts credit cards or debit cards for the  
11 transaction of business shall print more than the last 5 digits of  
12 the card number or the expiration date upon any receipt  
13 provided to the cardholder at the point of the sale or transaction."

14 3. The law gave merchants who accept credit and/or debit cards up to  
15 three years to comply with its requirements, requiring full compliance with its  
16 provisions no later than December 4, 2006. Although defendant IN-N-OUT  
17 BURGERS and the other Defendants named herein had up to three years to  
18 comply, Defendants have willfully violated this law and failed to protect Plaintiff  
19 and others similarly situated against identity theft and credit and debit card fraud  
20 by continuing to print more than the last five digits of the card number and or the  
21 expiration date on receipts provided to debit card and credit card cardholders  
22 transacting business with Defendants.

23 4. Plaintiff on behalf of herself and all others similarly situated brings  
24 this action against IN-N-OUT BURGERS and DOES 1 through 10 (hereinafter  
25 collectively referred to as "Defendants") based on Defendants' violations of 15  
26 U.S.C. §§ 1681 et seq.



*[Handwritten signature]*

**FILED**

**FEB - 2 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Eric A. Grover, Esq. (CSB# 136080)  
Jade Butman, Esq. (CSB# 235920)  
Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel. (415) 543-1305  
Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 788-8081

**E-filing**

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW COPORATION**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900

**CW**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CORI KESLER, on behalf of herself and  
others similarly situated,

Plaintiff,

v.

IKEA U.S., Inc. and IKEA U.S. WEST, INC.

Defendants.

**C 07 0714**

) CLASS ACTION

) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF

) [15 U.S.C. §§ 1681 et seq.]

) **DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Cori Kesler ("Plaintiff") on behalf of herself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
5 Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and debit  
6 card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."

12  
13 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
14 Credit Reporting Act) provides that:

15 "No person that accepts credit cards or debit cards for the transaction of  
16 business shall print more than the last five digits of the card number or the  
17 expiration date upon any receipt provided to the cardholder at the point of sale  
18 or transaction."

19  
20 3. The law gave merchants who accept credit card and/or debit cards up to three  
21 years to comply with its requirements, requiring full compliance with its provisions no later  
22 than December 4, 2006. Although Defendants IKEA U.S., Inc. and IKEA U.S. WEST, Inc.  
23 (hereinafter collectively referred to as "Defendants" or "IKEA") had up to three years to  
24 comply, Defendants have willfully violated this law and failed to protect Plaintiff and others  
25 similarly situated against identity theft and credit card and debit card fraud by continuing to

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Taline Soualian,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 TALINE SOUALIAN, individually and  
on behalf of all others similarly situated,

13 Plaintiff

14  
15 v.

16 INTERNATIONAL COFFEE & TEA,  
17 LLC and DOES 1-10,

18 Defendants.  
19  
20

CASE NO. **CV 07-00502**

**COMPLAINT**

**CLASS ACTION**

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

21 Taline Soualian ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.

23 //

24 //

25 //

26 //

27 //

28 //

## 1 I. INTRODUCTION

2 1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15  
3 U.S.C. §1681 *et seq.* Plaintiff Taline Soualian ("Plaintiff"), individually and on  
4 behalf of all others similarly situated, brings this action against International Coffee  
5 & Tea, LLC (dba The Coffee Bean & Tea Leaf) and Does 1-10 (collectively  
6 "Defendants" or "COFFEE BEAN") based on Defendants' practice of violating 15  
7 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act  
8 ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of  
9 identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides  
10 that "no person that accepts credit cards or debit cards for the transaction of business  
11 shall print more than the last five digits of the card number or the expiration date  
12 upon any receipt provided to the cardholder at the point of the sale or transaction."  
13 (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the  
14 information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts -  
15 i.e., more than the last five digits of the credit card or debit card number or the  
16 expiration date of the card. Despite having had several years to bring themselves into  
17 compliance with the law, Defendants have willfully violated Section 1681c(g)  
18 repeatedly by printing Prohibited Information on credit card or debit card receipts  
19 issued to thousands of consumers. Based on these violations, Defendants are liable to  
20 Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C.  
21 § 1681n.

## 22 II. THE PARTIES, JURISDICTION AND VENUE

23 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p  
24 and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28  
25 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to  
26 the claims occurred in this district, and because there is personal jurisdiction in this  
27 district over the sole named defendant.  
28

1 Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
2 THE LINDE LAW FIRM  
3 9000 Sunset Blvd., Suite 1025  
4 Los Angeles, CA 90069  
5 (310) 203-9333  
6 (310) 203-9233 FAX

7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 COLBY PLATH, on behalf of himself  
11 and all others similarly situated,

12 Plaintiff,

13 v.

14 JAMBA JUICE COMPANY; and  
15 DOES 1 through 10, inclusive,

16 Defendants.

CV 06 8180 GPS (SS\*)  
CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

17  
18  
19  
20 Plaintiff, by his attorneys, brings this action on his own behalf and on  
21 behalf of all others similarly situated, and alleges the following upon personal  
22 knowledge, or where there is not personal knowledge, upon information and  
23 belief:

24  
25 INTRODUCTION

26 1. In 2003, Congress passed and the President signed, the Fair and  
27  
28

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF;  
AND DEMAND FOR JURY TRIAL



1 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
2 and credit and debit card fraud. In the statement provided by the President during  
3 the signing of the bill, the President declared that:

4 "This bill also confronts the problem of identity theft. A growing  
5 number of Americans are victimized by criminals who assume their  
6 identities and cause havoc in their financial affairs. With this  
7 legislation, the Federal Government is protecting our citizens by  
8 taking the offensive against identity theft."

9 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
10 Fair Credit Reporting Act), provides that:

11 "No person that accepts credit cards or debit cards for the  
12 transaction of business shall print more than the last 5 digits of  
13 the card number or the expiration date upon any receipt  
14 provided to the cardholder at the point of the sale or transaction."

15 3. The law gave merchants who accept credit and/or debit cards up to  
16 three years to comply with its requirements, requiring full compliance with its  
17 provisions no later than December 4, 2006. Although defendant JAMBA JUICE  
18 COMPANY and the other Defendants named herein had up to three years to  
19 comply, Defendants have willfully violated this law and failed to protect Plaintiff  
20 and others similarly situated against identity theft and credit and debit card fraud  
21 by continuing to print more than the last five digits of the card number and or the  
22 expiration date on receipts provided to debit card and credit card cardholders  
23 transacting business with Defendants.

24 4. Plaintiff on behalf of himself and all others similarly situated brings  
25 this action against JAMBA JUICE COMPANY and DOES 1 through 10  
26 (hereinafter collectively referred to as "Defendants") based on Defendants'

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel. (415) 543-1305  
 Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd. Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900

## UNITED STATES DISTRICT COURT

## CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

THE JOHNNY ROCKETS GROUP, INC.

Defendants.

Case No.: 07-017203C (AM)  
 CLASS ACTION  
 COMPLAINT FOR DAMAGES AND  
 INJUNCTIVE RELIEF  
 [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."  
17

18 2. A main provision of FACTA (codified as 15 U.S.C. §  
19 1681(c)(g) of the Fair Credit Reporting Act) provides that:

20 "No person that accepts credit cards or debit cards  
21 for the transaction of business shall print more than  
22 the last five digits of the card number or the  
23 expiration date upon any receipt provided to the  
24 cardholder at the point of sale or transaction."  
25

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

JOEL PRICE, on behalf of ) Case No. **CV 07-00921 JFW (CW)**  
 himself and all others )  
 similarly situated, ) CLASS ACTION  
 )  
 Plaintiff, ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 v. )  
 ) [15 U.S.C. §§ 1681 et seq.]  
 K B TOYS, KB TOYS RETAIL, INC. )  
 )  
 Defendants. ) **DEMAND FOR JURY TRIAL**  
 )

1 Comes now Plaintiff Joel Price "Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed,  
6 the Fair and Accurate Credit Transaction Act ("FACTA") to  
7 assist in the prevention of identity theft and credit and debit  
8 card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,



1 Douglas A. Linde, State Bar No. 217584 (dal@lindelaw.net.)  
2 Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
3 Erica L. Allen, State Bar No. 234922 (ela@lindelaw.net)  
4 THE LINDE LAW FIRM  
5 9000 Sunset Blvd., Suite 1025  
6 Los Angeles, CA 90069  
7 (310) 203-9333  
8 (310) 203-9233 FAX

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 RAMON ALVARADO, JR., on behalf  
13 of himself and all others similarly  
14 situated,

15 Plaintiff,

16 v.

17 LEVI STRAUSS & CO.; and  
18 DOES 1 through 10, inclusive,

19 Defendants.

20 CASE NO.

21 COMPLAINT FOR DAMAGES  
22 AND INJUNCTIVE RELIEF  
23 CLASS ACTION

24 [15 U.S.C. §§ 1681 et seq.]

25 DEMAND FOR JURY TRIAL

26 Plaintiff, by his attorneys, brings this action on his own behalf and on  
27 behalf of all others similarly situated, and alleges the following upon personal  
28 knowledge, or where there is not personal knowledge, upon information and  
belief:

29 INTRODUCTION

30 1. In 2003, Congress passed and the President signed, the Fair and  
31 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
32 and credit and debit card fraud. In the statement provided by the President during  
33 the signing of the bill, the President declared that:

1 "This bill also confronts the problem of identity theft. A growing  
2 number of Americans are victimized by criminals who assume their  
3 identities and cause havoc in their financial affairs. With this  
4 legislation, the Federal Government is protecting our citizens by  
5 taking the offensive against identity theft."

6 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
7 Fair Credit Reporting Act), provides that:

8 "No person that accepts credit cards or debit cards for the  
9 transaction of business shall print more than the last 5 digits of  
10 the card number or the expiration date upon any receipt  
11 provided to the cardholder at the point of the sale or transaction."

12 3. The law gave merchants who accept credit and/or debit cards up to  
13 three years to comply with its requirements, requiring full compliance with its  
14 provisions no later than December 4, 2006. Although defendant LEVI STRAUSS  
15 & CO. and the other Defendants named herein had up to three years to comply,  
16 Defendants have willfully violated this law and failed to protect Plaintiff and  
17 others similarly situated against identity theft and credit and debit card fraud by  
18 continuing to print more than the last five digits of the card number and or the  
19 expiration date on receipts provided to debit card and credit card cardholders  
20 transacting business with Defendants.

21 4. Plaintiff on behalf of himself and all others similarly situated brings  
22 this action against LEVI STRAUSS & CO. and DOES 1 through 10 (hereinafter  
23 collectively referred to as "Defendants") based on Defendants' violations of 15  
24 U.S.C. §§ 1681 et seq.

25 5. Plaintiff seeks, on behalf of himself and the class, statutory damages,  
26 punitive damages, costs and attorneys fees, all of which are expressly made

1 Ira Spiro (SBN 67641), ispiro@smbhblaw.com  
2 J. Mark Moore (SBN 180473), mmoore@smbhblaw.com  
3 Spiro Moss Barnes & Barge LLP  
4 11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

5 Attorneys for Plaintiff PATRICK J. MCGEE,  
6 individually and on behalf of all others similarly situated

7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 PATRICK J. MCGEE, individually and  
on behalf of all others similarly situated,

13 Plaintiff

14 v.

15  
16  
17 LEVY RESTAURANTS, COMPASS  
GROUP USA, INC., and DOES 1-10,

18 Defendants.  
19  
20

CV. 06 7762 STW/RMC  
CASE NO.

COMPLAINT

[CLASS ACTION]

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

21 PATRICK J. MCGEE ("Plaintiff"), individually and on behalf of all others  
22 similarly situated, alleges as follows.

23 //

24 //

25 //

26 //

27 //

28 //

COMPLAINT AND DEMAND FOR JURY TRIAL

## **I. INTRODUCTION**

1  
2 1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15  
3 U.S.C. §1681 *et seq.* Plaintiff PATRICK J. MCGEE ("Plaintiff"), on behalf of  
4 himself and all others similarly situated, brings this action against Defendants LEVY  
5 RESTAURANTS, COMPASS GROUP USA, INC. and Does 1-10 (collectively  
6 "DEFENDANTS") based on DEFENDANTS' practice of violating 15 U.S.C.  
7 §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA")  
8 which was enacted by Congress in 2003 to aid in the prevention of identity theft and  
9 credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that  
10 accepts credit cards or debit cards for the transaction of business shall print more than  
11 the last five digits of the card number or the expiration date upon any receipt provided  
12 to the cardholder at the point of the sale or transaction." Despite having had several  
13 years to bring themselves into compliance with the law, DEFENDANTS have  
14 willfully violated Section 1681c(g) repeatedly with respect to Plaintiff and thousands  
15 of customers. Based on these violations, DEFENDANTS are liable to Plaintiff and  
16 the proposed class of similarly situated customers as set forth by Congress in 15  
17 U.S.C. §1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

18  
19 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p  
20 and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28  
21 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to  
22 the claims occurred in this district, and because there is personal jurisdiction in this  
23 district over the sole named defendant.

24 3. Plaintiff is a resident of the State of California and the County of Los  
25 Angeles, and is a "consumer" as defined by §1681a(c) of the FCRA. Pursuant to Fed.  
26 Rule of Civ. Proced., Rule 23(a) and 23(b)(3), Plaintiff seeks to represent a  
27 nationwide class of consumers, likewise defined by §1681a(c).

28 4. Defendant LEVY RESTAURANTS ("LEVY") is a privately-held

**FILED**

FEB 2 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

Eric A. Grover, Esq. (CSB# 136080)  
Jade Butman, Esq. (CSB# 235920)  
Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel. (415) 543-1305  
Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**BZ**

JULIE KOTOZSKY, on behalf of herself and  
all others similarly situated,

Plaintiff,

v.

LONGS DRUG STORES CORPORATION,  
LONGS DRUGS STORES, CALIFORNIA,  
INC.

Defendants.

Case No. **C-07-0713**  
CLASS ACTION

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**



1 Comes now Plaintiff Julie Kotovsky ("Plaintiff") on behalf of herself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
5 Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and debit  
6 card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."

12 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
13 Credit Reporting Act) provides that:

14 "No person that accepts credit cards or debit cards for the transaction of  
15 business shall print more than the last five digits of the card number or the  
16 expiration date upon any receipt provided to the cardholder at the point of sale  
17 or transaction."

18 3. The law gave merchants who accept credit card and/or debit cards up to three  
19 years to comply with its requirements, requiring full compliance with its provisions no later  
20 than December 4, 2006. Although Defendants LONGS DRUGS STORES CORPORATION  
21 and LONGS DRUG STORES CALIFORNIA, INC. (hereinafter collectively referred to as  
22 "Defendants" or "LONGS") had up to three years to comply, Defendants have willfully  
23 violated this law and failed to protect Plaintiff and others similarly situated against identity  
24  
25

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

LOUISE'S TRATTORIA, LT  
 ACQUISITIONS CORP., and DOES 1  
 through 10

Defendants.

)  
 ) Case No.: 07 1060 JSL (PTW)  
 )  
 ) CLASS ACTION  
 )  
 ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 willfully violated this law and failed to protect Plaintiff and  
2 others similarly situated against identity theft and credit  
3 card and debit card fraud by continuing to print more than the  
4 last five digits of the card number and/or the expiration date  
5 on receipts provided to debit card and credit card cardholders  
6 transacting business with Defendant.

7 4. Plaintiff, on behalf of himself and all others  
8 similarly situated, brings this action against Defendants based  
9 on Defendants' violation of 15 U.S.C. §§ 1681 et seq.

10 5. Plaintiff seeks, on behalf of himself and the class,  
11 statutory damages, punitive damages, costs and attorneys fees,  
12 all of which are expressly made available by statute, 15 U.S.C.  
13 §§ 1681 et seq., and a permanent injunction enjoining  
14 Defendants from continuing their unlawful practice of willfully  
15 violating FACTA's provisions intended to safeguard against  
16 identity theft and credit and debit card fraud.

17 **JURISDICTION, VENUE AND INTRADISTRICT ASSIGNMENT**

18 6. This Court has federal question jurisdiction pursuant  
19 to 28 U.S.C. § 1331 and 15 U.S.C. §§ 1681(p).

20 7. Plaintiff's claims asserted herein arose in this  
21 judicial district and all Defendants do business in this  
22 judicial district.

23 8. Venue in this judicial district is proper under 28  
24 U.S.C. § 1391(b) and (c) and 1400(a) in that this is the  
25

FILED

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

2007 JAN 23 PM 4:13  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF  
LOS ANGELES

6 Attorneys for Plaintiff Michael Azoiani,  
individually and on behalf of all others  
7 similarly situated

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11 EDCV07-0090

VAP  
(OPx)

12 MICHAEL AZOIANI, individually and  
13 on behalf of all others similarly situated,

14 Plaintiff

15 v.

16  
17 LOVE'S TRAVEL STOPS &  
18 COUNTRY STORES, INC., LOVE'S  
COUNTRY STORES OF  
19 CALIFORNIA, and DOES 1-10,

20 Defendants.  
21

CASE NO.

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

22 Michael Azoiani ("Plaintiff"), individually and on behalf of all others similarly  
23 situated, alleges as follows.

24 //

25 //

26 //

27 //

28 //

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Michael Azoiani ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against Love's Travel Stops & Country Stores, Inc., Love's Country Stores of California and Does 1-10 (collectively "Defendants" or "LOVE'S") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on electronically-printed credit card or debit card receipts issued to thousands of consumers, including Plaintiff. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.



FILED

Chant Yedalian, State Bar No. 222335 (cy@lindelaw.net)  
THE LINDE LAW FIRM  
9000 Sunset Blvd., Suite 1025  
Los Angeles, CA 90069  
(310) 203-9333  
(310) 203-9233 FAX

Attorneys for Plaintiff

2006 DEC 27 AM 10:14

U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CV 06 8208 CAS

PAUL KELLY, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

LRW INVESTMENT CO., a California  
Partnership; and DOES 1 through 10,  
inclusive,

Defendants.

CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

Plaintiff, by his attorneys, brings this action on his own behalf and on behalf of all others similarly situated, and alleges the following upon personal knowledge, or where there is not personal knowledge, upon information and belief:

INTRODUCTION

1. In 2003, Congress passed and the President signed, the Fair and Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft

1 and credit and debit card fraud. In the statement provided by the President during  
2 the signing of the bill, the President declared that:

3 "This bill also confronts the problem of identity theft. A growing  
4 number of Americans are victimized by criminals who assume their  
5 identities and cause havoc in their financial affairs. With this  
6 legislation, the Federal Government is protecting our citizens by  
7 taking the offensive against identity theft."

8 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
9 Fair Credit Reporting Act), provides that:

10 "No person that accepts credit cards or debit cards for the  
11 transaction of business shall print more than the last 5 digits of  
12 the card number or the expiration date upon any receipt  
13 provided to the cardholder at the point of the sale or transaction."

14 3. The law gave merchants who accept credit and/or debit cards up to  
15 three years to comply with its requirements, requiring full compliance with its  
16 provisions no later than December 4, 2006. Although defendant LRW  
17 INVESTMENT CO. and the other Defendants named herein had up to three  
18 years to comply, Defendants have willfully violated this law and failed to protect  
19 Plaintiff and others similarly situated against identity theft and credit and debit  
20 card fraud by continuing to print more than the last five digits of the card number  
21 and or the expiration date on receipts provided to debit card and credit card  
22 cardholders transacting business with Defendants.

23 4. Plaintiff on behalf of himself and all others similarly situated brings  
24 this action against LRW INVESTMENT CO. and DOES 1 through 10  
25 (hereinafter collectively referred to as "Defendants") based on Defendants'  
26 violations of 15 U.S.C. §§ 1681 et seq.

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER**

**A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JOEL PRICE, on behalf of  
himself and all others  
similarly situated,

Plaintiff,

v.

LUCKY STRIKE ENTERTAINMENT,  
INC.

Defendants.

) Case No. **CV 07-00960**  
)  
) CLASS ACTION  
)  
) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF  
)  
) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

2007 FEB -9 PM 2:36  
CLERK  
U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

(MANX)  
CHS

1 Comes now Plaintiff Joel Price ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed,  
6 the Fair and Accurate Credit Transaction Act ("FACTA") to  
7 assist in the prevention of identity theft and credit and debit  
8 card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of ) Case No. **CV 07-01021 GAF**  
himself and all others )  
similarly situated, ) CLASS ACTION (AJW)  
Plaintiff, ) COMPLAINT FOR DAMAGES AND  
v. ) INJUNCTIVE RELIEF  
MANN THEATRES, WF CINEMA ) [15 U.S.C. §§ 1681 et seq.]  
HOLDINGS, L.P. )  
Defendants. ) **DEMAND FOR JURY TRIAL**

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Saunders v. Mann Theatres

1 of 16



1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER**

**A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JANET HALL, on behalf of  
herself and all others  
similarly situated,

Plaintiff,

v.

MARIE CALLENDER'S RESTAURANT,  
PERKINS & MARIE CALLENDER'S  
INC.

Defendants.

) Case No. **CV07-00956AHM(Ex)**  
)  
)  
) CLASS ACTION  
)  
) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF  
)  
) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Hall v. Marie Callender's

1 of 16

1 Comes now Plaintiff Janet Hall ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 INTRODUCTION

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

ORIGINAL

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
himself and all others  
similarly situated,

Plaintiff,

v.

MARMALADE LLC

Defendants.

) Case No. **CV07-00970MMM(R2x)**  
)  
) **CLASS ACTION**  
)  
) **COMPLAINT FOR DAMAGES AND**  
) **INJUNCTIVE RELIEF**  
)  
) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,



Case 3:07-cv-00738-JSW Document 1 Filed 02/05/2007 Page 1 of 13

Eric A. Grover, Esq. (CSB# 136080)  
Jade Butman, Esq. (CSB# 235920)  
Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel. (415) 543-1305  
Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW CORPORATION**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ZACHARY HILE, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

MAX RAVE, LLC and G+G RETAIL, INC.

Defendants.

Case No.

CLASS ACTION

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF

15 U.S.C. §§ 1681 et seq |

DEMAND FOR JURY TRIAL

ORIGINAL  
FILED

FEB - 5 2007

RICHARD W. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JSW**

**07 0738**

1 Comes now Plaintiff Zachary Hile ("Plaintiff") on behalf of himself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1 In 2003, Congress passed and the President signed the Fair and Accurate  
5 Credit Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and  
6 debit card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."

12 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
13 Credit Reporting Act) provides that:

14 "No person that accepts credit cards or debit cards for the transaction of  
15 business shall print more than the last five digits of the card number or the  
16 expiration date upon any receipt provided to the cardholder at the point of sale  
17 or transaction."

18 3. The law gave merchants who accept credit card and/or debit cards up to three  
19 years to comply with its requirements, requiring full compliance with its provisions no later  
20 than December 4, 2006. Although Defendants Max Rave, LLC and G+G Retail, Inc.  
21 (hereinafter "Defendants") had up to three years to comply, Defendants have willfully violated  
22 this law and failed to protect Plaintiff and others similarly situated against identity theft and  
23 credit card and debit card fraud by continuing to print more than the last five digits of the card  
24  
25

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Mark S. Negri,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 MARK S. NEGRI, individually and on  
behalf of all others similarly situated,

13 Plaintiff

14  
15 v.

16 MCS BURBANK LLC,  
17 METROPOLITAN CULINARY  
SERVICES, INC. and DOES 1-10,  
18

19 Defendants.  
20

CASE NO.

CV 07-00212

COMPLAINT

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

21 Mark S. Negri ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.

23 //

24 //

25 //

26 //

27 //

28

## **I. INTRODUCTION**

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Mark S. Negri ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against defendants MCS Burbank LLC, Metropolitan Culinary Services, Inc. and Does 1-10 (collectively "Defendants" or "MCS") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

COPY

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER****A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

## UNITED STATES DISTRICT COURT

## CENTRAL DISTRICT OF CALIFORNIA

JOEL PRICE, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

PACIFIC THEATERS, PACIFIC  
 THEATERS EXHIBITION CORPORATION

Defendants.

) Case No. 07-00920 ERCE

) CLASS ACTION

) COMPLAINT FOR DAMAGES AND

) INJUNCTIVE RELIEF

) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**



1 Comes now Plaintiff Joel Price ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed,  
6 the Fair and Accurate Credit Transaction Act ("FACTA") to  
7 assist in the prevention of identity theft and credit and debit  
8 card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

Douglas A. Linde, State Bar No. 217584 (dal@lindelaw.net)  
Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
Erica L. Allen, State Bar No. 234922 (ela@lindelaw.net)  
THE LINDE LAW FIRM  
9000 Sunset Blvd., Suite 1025  
Los Angeles, CA 90069  
(310) 203-9333  
(310) 203-9233 FAX

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PAUL KELLY, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

PRG PARKING MANAGEMENT, LLC;  
and DOES 1 through 10, inclusive,

Defendants.

CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

Plaintiff, by his attorneys, brings this action on his own behalf and on behalf of all others similarly situated, and alleges the following upon personal knowledge, or where there is not personal knowledge, upon information and belief:

**INTRODUCTION**

1. In 2003, Congress passed and the President signed, the Fair and Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft

1 and credit and debit card fraud. In the statement provided by the President during  
2 the signing of the bill, the President declared that:

3 "This bill also confronts the problem of identity theft. A growing  
4 number of Americans are victimized by criminals who assume their  
5 identities and cause havoc in their financial affairs. With this  
6 legislation, the Federal Government is protecting our citizens by  
7 taking the offensive against identity theft."

8 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
9 Fair Credit Reporting Act), provides that:

10 "No person that accepts credit cards or debit cards for the  
11 transaction of business shall print more than the last 5 digits of  
12 the card number or the expiration date upon any receipt  
13 provided to the cardholder at the point of the sale or transaction."

14 3. The law gave merchants who accept credit and/or debit cards up to  
15 three years to comply with its requirements, requiring full compliance with its  
16 provisions no later than December 4, 2006. Although defendant PRG PARKING  
17 MANAGEMENT, LLC and the other Defendants named herein had up to three  
18 years to comply, Defendants have willfully violated this law and failed to protect  
19 Plaintiff and others similarly situated against identity theft and credit and debit  
20 card fraud by continuing to print more than the last five digits of the card number  
21 and or the expiration date on receipts provided to debit card and credit card  
22 cardholders transacting business with Defendants.

23 4. Plaintiff on behalf of himself and all others similarly situated brings  
24 this action against PRG PARKING MANAGEMENT, LLC and DOES 1 through  
25 10 (hereinafter collectively referred to as "Defendants") based on Defendants'  
26 violations of 15 U.S.C. §§ 1681 et seq.

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER****A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 986-8900, Fax (818) 990-7900

## UNITED STATES DISTRICT COURT

## CENTRAL DISTRICT OF CALIFORNIA

JANET HALL, on behalf of  
 herself and all others  
 similarly situated,

Plaintiff,

v.

RED ROBIN BURGER AND SPIRITS  
 EMPORIUMS, RED ROBIN  
 INTERNATIONAL, INC.

Defendants.

) Case No. **CV07-00778 RGL**  
 )  
 ) CLASS ACTION  
 )  
 ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Janet Hall ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,



Ira Spiro SBN 67641  
ira@spiromoss.com  
Gregory N. Karasik SBN 115834  
greg@spiromoss.com  
Spiro Moss Barness LLP<sup>1</sup>  
11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

Attorneys for Plaintiff  
MICHAEL BATEMAN

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MICHAEL BATEMAN, individually  
and on behalf of all others similarly  
situated,

Plaintiffs

v.

REGAL CINEMAS, INC.; UNITED  
ARTISTS THEATRE CIRCUIT, INC.;  
and DOES 1-10,

Defendants.

CASE NO.

CLASS ACTION

**CLASS ACTION COMPLAINT  
FOR VIOLATION OF FAIR  
AND ACCURATE  
TRANSACTIONS ACT**

[15 U.S.C. § 1681c(g)]

**DEMAND FOR JURY TRIAL**

Michael Bateman ("Plaintiff"), individually and on behalf of all others  
similarly situated, alleges as follows.

**I. INTRODUCTION**

1. This is a class action for violation of the Fair and Accurate Transactions  
Act ("FACTA"), which added 15 U.S.C. §1681c(g) to the Fair Reporting and Credit

<sup>1</sup> The firm is in the process of changing its name from "Spiro  
Moss Barness & Barge LLP" to "Spiro Moss Barness LLP."

1 Act ("FRCA"). On behalf of himself and all others similarly situated, plaintiff  
2 Michael Bateman ("Plaintiff") brings this class action against defendants Regal  
3 Cinemas, Inc., United Artists Theatre Circuit, Inc. and Does 1-10 (collectively  
4 "Defendants") based on Defendants' practice of violating 15 U.S.C. § 1681c(g).  
5 FACTA was enacted by Congress in 2003 to aid in the prevention of identity theft  
6 and credit/debit card fraud. Section 1681c(g) provides that "no person that accepts  
7 credit cards or debit cards for the transaction of business shall print more than the last  
8 five digits of the card number or the expiration date upon any receipt provided to the  
9 cardholder at the point of the sale or transaction." As used herein, the phrase  
10 "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g)  
11 prohibits from being printed on receipts - i.e., more than the last five digits of the  
12 credit card or debit card number or the expiration date. Despite having had several  
13 years to bring themselves into compliance with the law, Defendants have willfully  
14 violated Section 1681c(g) repeatedly by printing Prohibited Information on credit  
15 card or debit card receipts issued to thousands of consumers. Based on these  
16 violations, Defendants are liable to Plaintiff and the proposed class of other similarly  
17 situated consumers under 15 U.S.C. § 1681n.

## 18 **II. THE PARTIES, JURISDICTION AND VENUE**

19 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. § 1681p  
20 and 28 U.S.C. § 1331. Venue is proper within this district pursuant to 28 U.S.C. §  
21 1391(b) because all named Defendants reside in this district.

22 3. Plaintiff is a resident of the State of California and the County of Los  
23 Angeles, and is a "consumer" as defined by 15 U.S.C. § 1681a(c). Pursuant to the  
24 Federal Rules of Civil Procedure, Plaintiff seeks to represent a nationwide class of  
25 consumers, each who likewise constitutes a "consumer" under § 1681a(c).

26 4. Defendant Regal Cinemas, Inc. is a Tennessee corporation which  
27 maintains its corporate headquarters in Knoxville, Tennessee. Defendant United  
28 Artists Theatre Circuit, Inc. is a Maryland corporation which maintains its corporate

1 Ira Spiro  
SBN 67641, ispiro@smbhblaw.com  
2 J. Mark Moore  
SBN 180473, mmoore@smbhblaw.com  
3 Spiro Moss Barnes & Barge LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff PARIS ARMSTRONG,  
individually and on behalf of all others similarly situated  
7

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10

11 PARIS ARMSTRONG, individually and  
12 on behalf of all others similarly situated,

13 Plaintiff

14 v.  
15

16 RITE AID CORPORATION, and DOES  
1-10,  
17

18 Defendants.  
19  
20

CASE NO. **CV 06-07716**

[CLASS ACTION]

**COMPLAINT**

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

21 Paris Armstrong ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.  
23 //

24 //

25 //

26 //

27 //

28

**COMPLAINT AND DEMAND FOR JURY TRIAL**

ORIGINAL

1/5  
20

2006 DEC -5 PM 3:58  
FILED  
CLERK OF COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SAN FRANCISCO

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Paris Armstrong ("Plaintiff"), on behalf of herself and others similarly situated, brings this action against Defendants Rite Aid Corporation and Does 1-10 (collectively "Defendants" or "RITE AID") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly with respect to Plaintiff and thousands of customers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of similarly situated customers as set forth by Congress in 15 U.S.C. §1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los Angeles, and is a "consumer" as defined by §1681a(c) of the FCRA.<sup>1</sup> Pursuant to

---

<sup>1</sup> Plaintiff also is the mother-in-law of one of the associate attorneys at her counsel's law firm.

SCANNED

Ira Spiro (SBN 67641)  
 ira@spiromoss.com  
 J. Mark Moore (SBN 180473)  
 mark@spiromoss.com  
**Spiro Moss Barnes LLP**  
 11377 W. Olympic Blvd., Fifth Floor  
 Los Angeles, CA 90064  
 Telephone: (310) 235-2468  
 Facsimile (310) 235-2456

Attorneys for Plaintiff DANIEL SHULMAN,  
 individually and on behalf of all others similarly situated

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

DANIEL SHULMAN, individually and  
 on behalf of all others similarly situated,

Plaintiff

v.

RITE AID HDQTRS CORP. and  
 THRIFTY PAYLESS, INC., and DOES  
 3-10,

Defendants.

CASE NO. CV 06-7747 SVW  
 (JWJx)

CLASS ACTION

**FIRST AMENDED  
 COMPLAINT**

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

Original Complaint filed: 12/6/06  
 Trial Date: None set

Daniel Shulman ("Plaintiff"), individually and on behalf of all others similarly  
 situated, alleges as follows.

//

//

//

//

**FIRST AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL**

**EXHIBIT A**



## I. INTRODUCTION

1  
2 1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15  
3 U.S.C. §1681 *et seq.* Plaintiff Daniel Shulman ("Plaintiff"), on behalf of himself and  
4 all others similarly situated, brings this action against Defendants Rite Aid HDQTRS.  
5 Corp., Thrifty Payless, Inc. and Does 1-10 (collectively "Defendants") based on  
6 Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and  
7 Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in  
8 2003 to aid in the prevention of identity theft and credit/debit card fraud.  
9 Specifically, Section 1681c(g) provides that "no person that accepts credit cards or  
10 debit cards for the transaction of business shall print more than the last five digits of  
11 the card number or the expiration date upon any receipt provided to the cardholder at  
12 the point of the sale or transaction." Despite having had several years to bring  
13 themselves into full compliance with the law, Defendants have willfully and  
14 unjustifiably violated Section 1681c(g) repeatedly with respect to Plaintiff and  
15 thousands of customers. Based on these violations, Defendants are liable to Plaintiff  
16 and the proposed class of similarly situated customers as set forth by Congress in 15  
17 U.S.C. §1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

18  
19  
20 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p  
21 and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28  
22 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to  
23 the claims occurred in this district, and because there is personal jurisdiction in this  
24 district over the named defendants.

25 3. Plaintiff is a resident of the State of California and the County of Los  
26 Angeles, and is a "consumer" as defined by §1681a(c) of the FCRA. Pursuant to Fed.  
27 Rule of Civ. Proced., Rule 23(a) and 23(b)(3), Plaintiff seeks to represent a  
28 nationwide class of consumers, likewise defined by §1681a(c).

Case 4:07-cv-00716-SBA Document 1 Filed 02/02/2007 Page 1 of 13

Eric A. Grover, Esq. (CSB# 136080)  
Jade Butman, Esq. (CSB# 235920)  
Elizabeth A. Acevedo, Esq. (CSB# 227347)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel. (415) 543-1305  
Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 788-8081

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER, A PROFESSIONAL LAW COPRORATION**  
16133 Ventura Blvd. Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ZACHARY HILE, on behalf of herself and all others similarly situated,

Plaintiff,

v.

RITZ CAMERA CENTERS, INC.

Defendant.

CLASS ACTION

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

ORIGINAL  
FILED

FEB - 2 2007

RICHARD W. WIEKING  
CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

SBA

C-07-0716

1 Comes now Plaintiff Zachary Hile ("Plaintiff") on behalf of himself and all others  
2 similarly situated and alleges as follows:

3 INTRODUCTION

4 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
5 Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and debit  
6 card fraud. In the statement provided by the President during the signing of the bill, the  
7 President declared that:

8 "This bill also confronts the problem of identity theft. A growing number of  
9 Americans are victimized by criminals who assume their identities and cause  
10 havoc in their financial affairs. With this legislation, the Federal Government  
11 is protecting our citizens by taking the offensive against identity theft."

12 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
13 Credit Reporting Act) provides that:

14 "No person that accepts credit cards or debit cards for the transaction of  
15 business shall print more than the last five digits of the card number or the  
16 expiration date upon any receipt provided to the cardholder at the point of sale  
17 or transaction."  
18

19 3. The law gave merchants who accept credit card and/or debit cards up to three  
20 years to comply with its requirements, requiring full compliance with its provisions no later  
21 than December 4, 2006. Although Defendant RITZ CAMERA CENTERS, INC. (hereinafter  
22 collectively referred to as "Defendant" or "RITZ") had up to three years to comply, Defendant  
23 have willfully violated this law and failed to protect Plaintiff and others similarly situated  
24 against identity theft and credit card and debit card fraud by continuing to print more than the  
25

12/06/2008 14:57 FAX 310 235

ATTORNEYS- SMBHB LLP

004

1 Ira Spiro  
SBN 67641, ispiro@smbhblaw.com  
2 J. Mark Moore  
SBN 180473, mmoore@smbhblaw.com  
3 Spiro Moss Barness & Barge LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff PATRICK J. MCGEE,  
individually and on behalf of all others similarly situated

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 PATRICK J. MCGEE, individually and  
12 on behalf of all others similarly situated,

13 Plaintiff

14 v.

15  
16 ROSS STORES, INC., and DOES 1-10,

17 Defendants.  
18  
19

CASE NO. 06-7496

COMPLAINT

[15 U.S.C. §§ 1681 et seq.]

CLASS ACTION

DEMAND FOR JURY TRIAL

FILED

20  
21 PATRICK J. MCGEE ("Plaintiff"), individually and on behalf of all others  
22 similarly situated, alleges as follows.  
23

24 //

25 //

26 //

27 //

28 //

COMPLAINT AND DEMAND FOR JURY TRIAL

## I. INTRODUCTION

1  
2 1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15  
3 U.S.C. §1681 *et seq.* Plaintiff PATRICK J. MCGEE ("Plaintiff"), on behalf of  
4 himself and others similarly situated, brings this action against Defendants Ross  
5 Stores, Inc. and Does 1-10 (collectively "Defendants" or "ROSS") based on  
6 Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and  
7 Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in  
8 2003 to aid in the prevention of identity theft and credit/debit card fraud.  
9 Specifically, Section 1681c(g) provides that "no person that accepts credit cards or  
10 debit cards for the transaction of business shall print more than the last five digits of  
11 the card number or the expiration date upon any receipt provided to the cardholder at  
12 the point of the sale or transaction." Despite having had several years to bring  
13 themselves into compliance with the law, Defendants have willfully violated Section  
14 1681c(g) repeatedly with respect to Plaintiff and thousands of customers. Based on  
15 these violations, Defendants are liable to Plaintiff and the proposed class of similarly  
16 situated customers as set forth by Congress in 15 U.S.C. §1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

### Jurisdiction

17  
18  
19  
20 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p  
21 and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28  
22 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to  
23 the claims occurred in this district, and because there is personal jurisdiction in this  
24 district over the sole named defendant.

### The Parties

25  
26 3. Plaintiff is a resident of the State of California and the County of Los  
27 Angeles, and is a "consumer" as defined by §1681a(c) of the FCRA. Pursuant to Fed.  
28 Rule of Civ. Proced., Rule 23(a) and 23(b)(3), Plaintiff seeks to represent a



1 Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
2 THE LINDE LAW FIRM  
3 9000 Sunset Blvd., Suite 1025  
4 Los Angeles, CA 90069  
5 (310) 203-9333  
6 (310) 203-9233 FAX

7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11 TRACY WILSON, on behalf of herself  
12 and all others similarly situated,

13 Plaintiff,

14 v.

15 ROSS STORES, INC.; and  
16 DOES 1 through 10, inclusive,

17 Defendants.

CV 06 8156 PA (MAN)  
CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

18  
19  
20 Plaintiff, by her attorneys, brings this action on her own behalf and on  
21 behalf of all others similarly situated, and alleges the following upon personal  
22 knowledge, or where there is not personal knowledge, upon information and  
23 belief:

24 INTRODUCTION

25 1. In 2003, Congress passed and the President signed, the Fair and  
26 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft

1 and credit and debit card fraud. In the statement provided by the President during  
2 the signing of the bill, the President declared that:

3 "This bill also confronts the problem of identity theft. A growing  
4 number of Americans are victimized by criminals who assume their  
5 identities and cause havoc in their financial affairs. With this  
6 legislation, the Federal Government is protecting our citizens by  
7 taking the offensive against identity theft."

8 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the  
9 Fair Credit Reporting Act), provides that:

10 "No person that accepts credit cards or debit cards for the  
11 transaction of business shall print more than the last 5 digits of  
12 the card number or the expiration date upon any receipt  
13 provided to the cardholder at the point of the sale or transaction."

14 3. The law gave merchants who accept credit and/or debit cards up to  
15 three years to comply with its requirements, requiring full compliance with its  
16 provisions no later than December 4, 2006. Although defendant ROSS STORES,  
17 INC. and the other Defendants named herein had up to three years to comply,  
18 Defendants have willfully violated this law and failed to protect Plaintiff and  
19 others similarly situated against identity theft and credit and debit card fraud by  
20 continuing to print more than the last five digits of the card number and or the  
21 expiration date on receipts provided to debit card and credit card cardholders  
22 transacting business with Defendants.

23 4. Plaintiff on behalf of herself and all others similarly situated brings  
24 this action against ROSS STORES, INC. and DOES 1 through 10 (hereinafter  
25 collectively referred to as "Defendants") based on Defendants' violations of 15  
26 U.S.C. §§ 1681 et seq.

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

ROY'S FAMILY OF RESTAURANTS,  
 INC.

Defendants.

) Case No. 07-0164 CJC (AMX)  
 )  
 ) CLASS ACTION  
 )  
 ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

IS  
20

1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barness LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiffs Smbat Bagumyan and  
Shawntalle Negri, individually and on  
7 behalf of all others similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 **SMBAT BAGUMYAN and**  
**SHAWNTALLE NEGRI, individually**  
13 **and on behalf of all others similarly**  
14 **situated,**

15 **Plaintiffs**

16 **v.**

17 **SHOE PAVILION, INC. and DOES 1-**  
18 **10,**

19 **Defendants.**  
20  
21

**CV 07-00522 SJO (VBKx)**  
**CASE NO.**

**COMPLAINT**

**CLASS ACTION**

**[15 U.S.C. §§ 1681 et seq.]**

**DEMAND FOR JURY TRIAL**

22 Smbat Bagumyan and Shawntalle Negri ("Plaintiffs"), individually and on  
23 behalf of all others similarly situated, allege as follows.

24 //

25 //

26 //

27 //

28



## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiffs Smbat Bagumyan and Shawntalle Negri ("Plaintiffs"), individually and on behalf of all others similarly situated, bring this action against Shoe Pavilion, Inc. and Does 1-10 (collectively "Defendants" or "SHOE PAVILION") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiffs and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiffs Smbat Bagumyan and Shawntalle Negri are residents of the

**ORIGINAL**

1 Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
 2 **KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 3 San Francisco, California 94107  
 4 Tel: (415) 543-1305, Fax (415) 543-7681

5 Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 6 7287 Lakeside Drive  
 Reno, Nevada 89511  
 7 Tel: (775) 284-1500, Fax (775) 703-5027

8 Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 9 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 10 Tel: (818) 788-8081, Fax (818) 788-8080

11 Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 12 16133 Ventura Blvd., Suite 1200  
 13 Encino, California 91436  
 14 Tel. (818) 986-8900, Fax (818) 990-7900

15 UNITED STATES DISTRICT COURT

16 CENTRAL DISTRICT OF CALIFORNIA

17 JOEL PRICE, on behalf of  
 18 himself and all others  
 19 similarly situated,

20 Plaintiff,

21 v.

22 SHOE PAVILION, INC.

23 Defendants.

)  
 ) Case No.:  
 )  
 ) CLASS ACTION  
 )  
 ) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

24 **DEMAND FOR JURY TRIAL**

115  
20

FILED  
 2007 FEB -9 PM 3:34  
 CLERK OF COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 U.S. DISTRICT COURT

1 Comes now Plaintiff Joel Price ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

1 Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
2 THE LINDE LAW FIRM  
3 9000 Sunset Blvd., Suite 1025  
4 Los Angeles, CA 90069  
5 (310) 203-9333  
6 (310) 203-9233 FAX

7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11 MITCHELL MILLER, on behalf of  
12 himself and all others similarly situated,

13 Plaintiff,

14 v.

15 SMART & FINAL INC.; SMART &  
16 FINAL STORES CORPORATION; and  
17 DOES 1 through 10, inclusive,

18 Defendants.

CV 06 8155 GAF/CT  
CASE NO.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

19  
20 Plaintiff, by his attorneys, brings this action on his own behalf and on  
21 behalf of all others similarly situated, and alleges the following upon personal  
22 knowledge, or where there is not personal knowledge, upon information and  
23 belief:

24 INTRODUCTION

25 1. In 2003, Congress passed and the President signed, the Fair and  
26 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
27 and credit and debit card fraud. In the statement provided by the President during  
28

1 the signing of the bill, the President declared that:

2 "This bill also confronts the problem of identity theft. A growing  
3 number of Americans are victimized by criminals who assume their  
4 identities and cause havoc in their financial affairs. With this  
5 legislation, the Federal Government is protecting our citizens by  
6 taking the offensive against identity theft."

7 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
8 Fair Credit Reporting Act), provides that:

9 "No person that accepts credit cards or debit cards for the  
10 transaction of business shall print more than the last 5 digits of  
11 the card number or the expiration date upon any receipt  
12 provided to the cardholder at the point of the sale or transaction."

13 3. The law gave merchants who accept credit and/or debit cards up to  
14 three years to comply with its requirements, requiring full compliance with its  
15 provisions no later than December 4, 2006. Although defendant SMART &  
16 FINAL INC. and the other Defendants named herein had up to three years to  
17 comply, Defendants have willfully violated this law and failed to protect Plaintiff  
18 and others similarly situated against identity theft and credit and debit card fraud  
19 by continuing to print more than the last five digits of the card number and or the  
20 expiration date on receipts provided to debit card and credit card cardholders  
21 transacting business with Defendants.

22 4. Plaintiff on behalf of himself and all others similarly situated brings  
23 this action against SMART & FINAL INC., SMART & FINAL STORES  
24 CORPORATION and DOES 1 through 10 (hereinafter collectively referred to as  
25 "Defendants") based on Defendants' violations of 15 U.S.C. §§ 1681 et seq.

26 //



1 Douglas A. Linde, State Bar No. 217584 (dal@lindelaw.net)  
2 Chant Yedalian, State Bar No. 222325 (cy@lindelaw.net)  
3 Erica L. Allen, State Bar No. 234922 (ela@lindelaw.net)  
4 THE LINDE LAW FIRM  
5 9000 Sunset Blvd., Suite 1025  
6 Los Angeles, CA 90069  
7 (310) 203-9333  
8 (310) 203-9233 FAX  
9  
10  
11

12 Attorneys for Plaintiff

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA  
15

16 JESSICA CLARK, on behalf of herself  
17 and all others similarly situated,

18 Plaintiff,

19 v.

20 STEIN MART, INC.; and  
21 DOES 1 through 10, inclusive,

22 Defendants.

CASE NO.

CV07-00197

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

23 Plaintiff, by her attorneys, brings this action on her own behalf and on  
24 behalf of all others similarly situated, and alleges the following upon personal  
25 knowledge, or where there is not personal knowledge, upon information and  
26 belief:

27 ///

28 ///

///

**INTRODUCTION**

1  
2 1. In 2003, Congress passed and the President signed, the Fair and  
3 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
4 and credit and debit card fraud. In the statement provided by the President during  
5 the signing of the bill, the President declared that:

6 "This bill also confronts the problem of identity theft. A growing  
7 number of Americans are victimized by criminals who assume their  
8 identities and cause havoc in their financial affairs. With this  
9 legislation, the Federal Government is protecting our citizens by  
10 taking the offensive against identity theft."

11 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
12 Fair Credit Reporting Act), provides that:

13 "No person that accepts credit cards or debit cards for the  
14 transaction of business shall print more than the last 5 digits of  
15 the card number or the expiration date upon any receipt  
16 provided to the cardholder at the point of the sale or transaction."

17 3. The law gave merchants who accept credit and/or debit cards up to  
18 three years to comply with its requirements, requiring full compliance with its  
19 provisions no later than December 4, 2006. Although defendant STEIN MART,  
20 INC. and the other Defendants named herein had up to three years to comply,  
21 Defendants have willfully violated this law and failed to protect Plaintiff and  
22 others similarly situated against identity theft and credit and debit card fraud by  
23 continuing to print more than the last five digits of the card number and or the  
24 expiration date on receipts provided to debit card and credit card cardholders  
25 transacting business with Defendants.

26 4. Plaintiff on behalf of herself and all others similarly situated brings  
27  
28

Eric A. Grover, Esq. (CSB# 136080)  
 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

2007 FEB -9 PM 3:41  
 FILED  
 U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 SAN FRANCISCO, CA

IS  
 S/20

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SAUNDERS, on behalf of  
 himself and all others  
 similarly situated,

Plaintiff,

v.

T.G.I. FRIDAY'S, INC.

Defendants.

)  
 ) **CV-07-0969-FMC**  
 ) Case No.:  
 )  
 ) **CLASS ACTION**  
 )  
 ) **COMPLAINT FOR DAMAGES AND**  
 ) **INJUNCTIVE RELIEF**  
 )  
 ) [15 U.S.C. §§ 1681 et seq.]

(SHX)

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiff Michael Saunders ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Alis Bersekian,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10

11  
12 ALIS BERSEKIAN, individually and on  
behalf of all others similarly situated,

13 Plaintiff  
14

15 v.  
16

17 TJ MAXX OF CA, LLC, THE TJX  
COMPANIES, INC. and DOES 1-10,  
18

19 Defendants.  
20

\* CV 07 0503 R(JWJX)  
CASE NO.

COMPLAINT

[CLASS ACTION]

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

21 Alis Bersekian ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.  
23

24 //

25 //

26 //

27 //

28 //



## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiff Alis Bersekian ("Plaintiff"), individually and on behalf of all others similarly situated, brings this action against defendants T.J. MAXX OF CA, LLC, THE TJX COMPANIES, INC. and Does 1-10 (collectively "Defendants" or "T.J. MAXX") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." (Emphasis added.) As used herein, the phrase "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on receipts - i.e., more than the last five digits of the credit card or debit card number or the expiration date of the card. Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on credit card or debit card receipts issued to thousands of consumers. Based on these violations, Defendants are liable to Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C. § 1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

3. Plaintiff is a resident of the State of California and the County of Los

1 Eric A. Grover, Esq. (CSB# 136080)  
 2 Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
 3 **KELLER GROVER LLP**  
 4 425 Second Street, Suite 500  
 San Francisco, California 94107  
 Tel: (415) 543-1305, Fax (415) 543-7681

ORIGINAL

5 Mark R. Thierman, Esq. (CSB# 72913)  
 6 **THIERMAN LAW FIRM**  
 7 7287 Lakeside Drive  
 Reno, Nevada 89511  
 Tel: (775) 284-1500, Fax (775) 703-5027

8 Scott A. Miller, Esq. (CSB# 230322)  
 9 **LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
 10 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel: (818) 788-8081, Fax (818) 788-8080

11 Steven L. Miller, Esq. (CSB# 106023)  
 12 **STEVEN L. MILLER**  
 13 **A PROFESSIONAL LAW CORPORATION**  
 14 16133 Ventura Blvd., Suite 1200  
 Encino, California 91436  
 Tel. (818) 986-8900, Fax (818) 990-7900

15 UNITED STATES DISTRICT COURT

16 CENTRAL DISTRICT OF CALIFORNIA

17 )  
 18 JANET HALL and PAR DANNAS on  
 19 behalf of themselves and all  
 others similarly situated,

20 Plaintiffs,

21 v.

22 TONY ROMA'S ARCADIA, TONY  
 23 ROMA'S INC., ROMA CORP., and  
 DOES 1 through 10

24 Defendants.  
 25

) Cas No: 07-14411 (Fmca)

) CLASS ACTION

) COMPLAINT FOR DAMAGES AND  
 ) INJUNCTIVE RELIEF

) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

1 Comes now Plaintiffs Janet Hall and Par Danna  
2 ("Plaintiffs") on behalf of themselves and all others similarly  
3 situated and allege as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
legislation, the Federal Government is protecting our  
citizens by taking the offensive against identity  
theft."

14 2. A main provision of FACTA (codified as 15 U.S.C. §  
15 1681(c)(g) of the Fair Credit Reporting Act) provides that:

16 "No person that accepts credit cards or debit cards  
17 for the transaction of business shall print more than  
18 the last five digits of the card number or the  
expiration date upon any receipt provided to the  
cardholder at the point of sale or transaction."

19 3. The law gave merchants who accept credit card and/or  
20 debit cards up to three years to comply with its requirements,  
21 requiring full compliance with its provisions no later than  
22 December 4, 2006. Although Defendants TONY ROMA'S ARCADIA,  
23 TONY ROMA'S INC., ROMA CORP., and DOES 1 through 10  
24 (hereinafter collectively referred to as "Defendants" or "TONY  
25 ROMA'S"), had up to three years to comply, Defendants have

FILED

2007 MAY 22 AM 11:01

CLERK OF DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

BY

1 Eric A. Grover, Esq. (CSB# 136080)

2 **KELLER GROVER LLP**

3 425 Second Street, Suite 500

4 San Francisco, California 94107

5 Tel. (415) 543-1305

6 Fax (415) 543-7681

7 eagrover@kellergrover.com

8 Mark R. Thierman, Esq. (CSB# 72913)

9 **THIERMAN LAW FIRM**

10 7287 Lakeside Drive

11 Reno, Nevada 89511

12 Tel: (775) 284-1500

13 laborlawyer@pacbell.net

14 Scott A. Miller, Esq. (CSB# 230322)

15 **LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16 16133 Ventura Blvd. Suite 1200

17 Encino, California 91436

18 Tel. (818) 788-8081

19 millaw@sbcglobal.net

20 Steven L. Miller, Esq. (CSB# 106023)

21 **STEVEN L. MILLER, PLC**

22 16133 Ventura Blvd. Suite 1200

23 Encino, California 91436

24 Tel. (818) 986-8900

25 stevenlmiller@sbcglobal.net

26 Attorneys for Plaintiff

27 JANET HALL

28 **UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**JANET HALL, on behalf of herself and all  
others similarly situated,

Plaintiff,

v.

TOP ROBIN VENTURES, INC

Defendant.

Case No. **CV 07-03336 Fmc** (JTX)**CLASS ACTION****COMPLAINT FOR DAMAGES**[15 U.S.C. §§ 1681 *et seq.*]**JURY TRIAL DEMANDED**

COMPLAINT FOR DAMAGES

RV FAX

IIS  
20



1 Comes now Plaintiff Janet Hall ("Plaintiff") on behalf of herself and all others  
2 similarly situated and alleges as follows:

3 **INTRODUCTION**

4 1. In 2003, Congress passed and the President signed, the Fair and Accurate  
5 Transaction Act ("FACTA") to assist in the prevention of identity theft and credit and  
6 debit card fraud. In the statement provided by the President during the signing of the bill,  
7 the President declared that:

8 "This bill also confronts the problem of identity theft. A growing number  
9 of Americans are victimized by criminals who assume their identities and  
10 cause havoc in their financial affairs. With this legislation, the Federal  
Government is protecting our citizens by taking the offensive against  
identity theft."

11 2. A main provision of FACTA (codified as 15 U.S.C. § 1681c(g) of the Fair  
12 Credit Reporting Act) provides that:

13 "No person that accepts credit cards or debit cards for the transaction of  
14 business shall print more than the last five digits of the card number or the  
expiration date upon any receipt provided to the cardholder at the point of sale  
or transaction."

15 3. The law gave merchants who accept credit card and/or debit cards up to  
16 three years to comply with its requirements, requiring full compliance with its provisions  
17 no later than December 4, 2006. Although Defendant Top Robin Ventures, Inc.  
18 (hereinafter referred to as "Defendant" or "Top Robin Ventures") had up to three years to  
19 comply, Defendant has willfully violated this law and failed to protect Plaintiff and others  
20 similarly situated against identity theft and credit card and debit card fraud by continuing  
21 to print more than the last five digits of the card number and/or the expiration date on  
22 receipts provided to debit card and credit card cardholders transacting business with  
23 Defendant.

24 4. Plaintiff, on behalf of herself and all others similarly situated, brings this  
25 action against Defendant based on Defendant's violation of 15 U.S.C. §§ 1681 *et seq.*  
26  
27  
28



1 Ira Spiro  
SBN 67641, ispiro@smbhblaw.com  
2 J. Mark Moore  
SBN 180473, mmoore@smbhblaw.com  
3 Spiro Moss Barnes & Barge LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiffs Nicola Edwards  
and James Schley, individually and  
7 on behalf of all others similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 NICOLA EDWARDS and JAMES  
12 SCHLEY, individually and on behalf of  
all others similarly situated,

13 Plaintiffs

14  
15 v.

16 TOYS 'R' US - DELAWARE, INC. and  
17 DOES 1-10,

18 Defendants.  
19  
20

CASE NO. **CV 08-08163** **MMN** **FILED**

**COMPLAINT**

[15 U.S.C. §§ 1681 et seq.]

**CLASS ACTION**

**DEMAND FOR JURY TRIAL**

21 Nicola Edwards and James Schley ("Plaintiffs"), individually and on behalf of  
22 all others similarly situated, allege as follows.  
23

24 //

25 //

26 //

27 //

28 //

**COMPLAINT AND DEMAND FOR JURY TRIAL**

## I. INTRODUCTION

1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 *et seq.* Plaintiffs Nicola Edwards and James Schley ("Plaintiffs"), on behalf of themselves and all others similarly situated, bring this action against Defendants Toys 'R' Us - Delaware, Inc. and Does 1-10 (collectively "Defendants" or "TOYS 'R' US") based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud. Specifically, Section 1681c(g) provides that "no person that accepts credit cards or debit cards for the transaction of business shall print more than the last five digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction." Despite having had several years to bring themselves into compliance with the law, Defendants have willfully violated Section 1681c(g) repeatedly with respect to Plaintiffs and thousands of customers. TOYS 'R' US's violations include, but may not be not limited to, the printing of at least nine or ten digits of customers' card numbers on receipts at stores in various locations, including this district. Based on these violations, Defendants are liable to Plaintiffs and the proposed class of similarly situated customers as set forth by Congress in 15 U.S.C. §1681n.

## II. THE PARTIES, JURISDICTION AND VENUE

### Jurisdiction

2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to the claims occurred in this district, and because there is personal jurisdiction in this district over the sole named defendant.

Erica L. Allen, State Bar No. 234922 (ela@lindelaw.net)  
THE LINDE LAW FIRM  
9000 Sunset Blvd., Suite 1025  
Los Angeles, CA 90069  
(310) 203-9333  
(310) 203-9233 FAX

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MITCHELL MILLER, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

TOYS "R" US-DELAWARE, INC.; and  
DOES 1 through 10, inclusive,

Defendants.

CASE NO. **CV 06-08181** DDP (MNL)

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

Plaintiff, by his attorneys, brings this action on his own behalf and on behalf of all others similarly situated, and alleges the following upon personal knowledge, or where there is not personal knowledge, upon information and belief:

**INTRODUCTION**

1. In 2003, Congress passed and the President signed, the Fair and

1 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
2 and credit and debit card fraud. In the statement provided by the President during  
3 the signing of the bill, the President declared that:

4 "This bill also confronts the problem of identity theft. A growing  
5 number of Americans are victimized by criminals who assume their  
6 identities and cause havoc in their financial affairs. With this  
7 legislation, the Federal Government is protecting our citizens by  
8 taking the offensive against identity theft."

9 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
10 Fair Credit Reporting Act), provides that:

11 "No person that accepts credit cards or debit cards for the  
12 transaction of business shall print more than the last 5 digits of  
13 the card number or the expiration date upon any receipt  
14 provided to the cardholder at the point of the sale or transaction."

15 3. The law gave merchants who accept credit and/or debit cards up to  
16 three years to comply with its requirements, requiring full compliance with its  
17 provisions no later than December 4, 2006. Although defendant TOYS "R" US-  
18 DELAWARE, INC. and the other Defendants named herein had up to three years  
19 to comply, Defendants have willfully violated this law and failed to protect  
20 Plaintiff and others similarly situated against identity theft and credit and debit  
21 card fraud by continuing to print more than the last five digits of the card number  
22 and or the expiration date on receipts provided to debit card and credit card  
23 cardholders transacting business with Defendants.

24 4. Plaintiff on behalf of himself and all others similarly situated brings  
25 this action against TOYS "R" US-DELAWARE, INC. and DOES 1 through 10  
26 (hereinafter collectively referred to as "Defendants") based on Defendants'

1 Ira Spiro, SBN 67641 (ispiro@smbhblaw.com)  
2 J. Mark Moore, SBN 180473 (mmoore@smbhblaw.com)  
3 Spiro Moss Barness LLP<sup>1</sup>  
4 11377 West Olympic Blvd., 5th Floor  
5 Los Angeles, CA 90064  
6 (310) 235-2468  
7 (310) 235-2456 FAX

8 Douglas A. Linde, SBN 217584 (dal@lindelaw.net)  
9 Chant Yedalian, SBN 222325 (cy@lindelaw.net)  
10 Erica L. Allen, SBN 234922 (ela@lindelaw.net)  
11 THE LINDE LAW FIRM  
12 9000 Sunset Blvd., Suite 1025  
13 Los Angeles, CA 90069  
14 (310) 203-9333  
15 (310) 203-9233 FAX

16 Attorneys for Plaintiff

17 UNITED STATES DISTRICT COURT  
18 CENTRAL DISTRICT OF CALIFORNIA

19 JORDAN TILZER, on behalf of himself  
20 and all others similarly situated,

21 Plaintiff,

22 v.

23 URBAN OUTFITTERS, INC.; and  
24 DOES 1 through 10, inclusive,

25 Defendants.

CASE NO.

CV07-00106

COMPLAINT FOR DAMAGES  
CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

26  
27 <sup>1</sup> The law firm is in the process of changing its name from Spiro Moss Barness &  
28 Barge LLP to Spiro Moss Barness LLP.



1 Plaintiff, by his attorneys, brings this action on his own behalf and on  
2 behalf of all others similarly situated, and alleges the following upon personal  
3 knowledge, or where there is not personal knowledge, upon information and  
4 belief:

### 5 INTRODUCTION

6 1. In 2003, Congress passed and the President signed, the Fair and  
7 Accurate Transactions Act ("FACTA") to assist in the prevention of identity theft  
8 and credit and debit card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity theft. A growing  
11 number of Americans are victimized by criminals who assume their  
12 identities and cause havoc in their financial affairs. With this  
13 legislation, the Federal Government is protecting our citizens by  
14 taking the offensive against identity theft."

15 2. A main provision of FACTA (codified as 15 U.S.C. §1681c(g) of the  
16 Fair Credit Reporting Act), provides that:

17 "No person that accepts credit cards or debit cards for the  
18 transaction of business shall print more than the last 5 digits of  
19 the card number or the expiration date upon any receipt  
20 provided to the cardholder at the point of the sale or transaction."

21 3. The law gave merchants who accept credit and/or debit cards up to  
22 three years to comply with its requirements, requiring full compliance with its  
23 provisions no later than December 4, 2006. Although defendant URBAN  
24 OUTFITTERS, INC. and the other Defendants named herein had up to three years  
25 to comply, Defendants have willfully violated this law and failed to protect  
26 Plaintiff and others similarly situated against identity theft and credit and debit  
27 card fraud by continuing to print more than the last five digits of the card number

**ORIGINAL**

Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)  
**KELLER GROVER LLP**  
425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)  
**THIERMAN LAW FIRM**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)  
**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)  
**STEVEN L. MILLER**  
**A PROFESSIONAL LAW CORPORATION**  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 986-8900, Fax (818) 990-7900

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ERIK J. KHOROVSKY, on behalf of )  
himself and all others )  
similarly situated, )

Plaintiff, )

v. )

THE VITAMIN SHOPPE, VITAMIN )  
SHOPPE INDUSTRIES, INC. )

Defendants. )

Case No. CV:07 0997 DDA(RCX)  
CLASS ACTION  
COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF  
[15 U.S.C. §§ 1681 et seq.]

DEMAND FOR JURY TRIAL

1 Comes now Plaintiff Erik J. Khorovsky ("Plaintiff") on  
2 behalf of himself and all others similarly situated and alleges  
3 as follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed the  
6 Fair and Accurate Credit Transaction Act ("FACTA") to assist in  
7 the prevention of identity theft and credit and debit card  
8 fraud. In the statement provided by the President during the  
9 signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

1 Ira Spiro  
SBN 67641, ira@spiromoss.com  
2 J. Mark Moore  
SBN 180473, mark@spiromoss.com  
3 Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
4 Los Angeles, CA 90064  
Telephone: (310) 235-2468  
5 Facsimile (310) 235-2456

6 Attorneys for Plaintiff Serge Torossian,  
individually and on behalf of all others  
7 similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11  
12 SERGE TOROSSIAN, individually and  
on behalf of all others similarly situated,

13 Plaintiff

14  
15 v.

16 VITAMIN SHOPPE INDUSTRIES,  
17 INC. and DOES 1-10,

18 Defendants.  
19  
20

CASE NO.

**COMPLAINT**

CLASS ACTION

[15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

21 Serge Torossian ("Plaintiff"), individually and on behalf of all others similarly  
22 situated, alleges as follows.

23 //

24 //

25 //

26 //

27 //

28 //

2007 JAN 22 PM 4:02  
CLERK OF COURT  
CENTRAL DISTRICT OF CALIF.

FILED

115-20

ROK (C3)

## **I. INTRODUCTION**

1  
2 1. This is an action pursuant to the Fair Credit Reporting Act ("FCRA"), 15  
3 U.S.C. §1681 *et seq.* Plaintiff Serge Torossian ("Plaintiff"), individually and on  
4 behalf of all others similarly situated, brings this action against Vitamin Shoppe  
5 Industries, Inc. and Does 1-10 (collectively "Defendants" or "VITAMIN SHOPPE")  
6 based on Defendants' practice of violating 15 U.S.C. §1681c(g), a provision of the  
7 Fair and Accurate Credit Transactions Act ("FACTA") which was enacted by  
8 Congress in 2003 to aid in the prevention of identity theft and credit/debit card fraud.  
9 Specifically, Section 1681c(g) provides that "no person that accepts credit cards or  
10 debit cards for the transaction of business shall print more than the last five digits of  
11 the card number or the expiration date upon any receipt provided to the cardholder at  
12 the point of the sale or transaction." (Emphasis added.) As used herein, the phrase  
13 "Prohibited Information" refers to the information which 15 U.S.C. § 1681c(g)  
14 prohibits from being printed on receipts - i.e., more than the last five digits of the  
15 credit card or debit card number or the expiration date of the card. Despite having  
16 had several years to bring themselves into compliance with the law, Defendants have  
17 willfully violated Section 1681c(g) repeatedly by printing Prohibited Information on  
18 credit card or debit card receipts issued to thousands of consumers. Based on these  
19 violations, Defendants are liable to Plaintiff and the proposed class of other similarly  
20 situated consumers under 15 U.S.C. § 1681n.

## **II. THE PARTIES, JURISDICTION AND VENUE**

21  
22  
23 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1681p  
24 and 28 U.S.C. §1331. Venue is proper within this district and division pursuant to 28  
25 U.S.C. §1391(b) because a substantial part of the events and omissions giving rise to  
26 the claims occurred in this district, and because there is personal jurisdiction in this  
27 district over the sole named defendant.



Eric A. Grover, Esq. (CSB# 136080)  
Valerie L. Sharpe, Esq. (Of Counsel) (CSB# 191344)

**KELLER GROVER LLP**

425 Second Street, Suite 500  
San Francisco, California 94107  
Tel: (415) 543-1305, Fax (415) 543-7681

Mark R. Thierman, Esq. (CSB# 72913)

**THIERMAN LAW FIRM**

7287 Lakeside Drive  
Reno, Nevada 89511  
Tel: (775) 284-1500, Fax (775) 703-5027

Scott A. Miller, Esq. (CSB# 230322)

**LAW OFFICES OF SCOTT A. MILLER, A.P.C.**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel: (818) 788-8081, Fax (818) 788-8080

Steven L. Miller, Esq. (CSB# 106023)

**STEVEN L. MILLER**

**A PROFESSIONAL LAW CORPORATION**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
Tel. (818) 986-8900, Fax (818) 990-7900

2007 FEB -8 AM 11:27  
CLERK OF COURT  
CENTRAL DISTRICT OF CALIF.  
BY

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JOEL PRICE, on behalf of  
himself and all others  
similarly situated,

Plaintiff,

v.

THE WET SEAL, INC., ARDEN B.

Defendants.

) Case No. CV07-00922  
)  
) CLASS ACTION  
)  
) COMPLAINT FOR DAMAGES AND  
) INJUNCTIVE RELIEF  
)  
) [15 U.S.C. §§ 1681 et seq.]

**DEMAND FOR JURY TRIAL**

ILS  
20

AM  
CV07-00922

1 Comes now Plaintiff Joel Price ("Plaintiff") on behalf of  
2 himself and all others similarly situated and alleges as  
3 follows:

4 **INTRODUCTION**

5 1. In 2003, Congress passed and the President signed,  
6 the Fair and Accurate Credit Transaction Act ("FACTA") to  
7 assist in the prevention of identity theft and credit and debit  
8 card fraud. In the statement provided by the President during  
9 the signing of the bill, the President declared that:

10 "This bill also confronts the problem of identity  
11 theft. A growing number of Americans are victimized  
12 by criminals who assume their identities and cause  
13 havoc in their financial affairs. With this  
14 legislation, the Federal Government is protecting our  
15 citizens by taking the offensive against identity  
16 theft."

17 2. A main provision of FACTA (codified as 15 U.S.C. §  
18 1681(c)(g) of the Fair Credit Reporting Act) provides that:

19 "No person that accepts credit cards or debit cards  
20 for the transaction of business shall print more than  
21 the last five digits of the card number or the  
22 expiration date upon any receipt provided to the  
23 cardholder at the point of sale or transaction."

24 3. The law gave merchants who accept credit card and/or  
25 debit cards up to three years to comply with its requirements,

Ira Spiro SBN 67641  
ira@spiromoss.com  
Gregory N. Karasik SBN 115834  
greg@spiromoss.com  
Spiro Moss Barnes LLP  
11377 W. Olympic Blvd., Fifth Floor  
Los Angeles, CA 90064  
Telephone: (310) 235-2468  
Facsimile (310) 235-2456

Attorneys for Plaintiff  
MICHAEL BATEMAN

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MICHAEL BATEMAN, individually  
and on behalf of all others similarly  
situated,

Plaintiffs

v.

WF CINEMA HOLDINGS, L.P.; and  
DOES 1-10,

Defendants.

**CV 07-00213**  
CASE NO.

CLASS ACTION

**CLASS ACTION COMPLAINT  
FOR VIOLATION OF FAIR  
AND ACCURATE CREDIT  
TRANSACTIONS ACT**

[15 U.S.C. § 1681c(g)]

**DEMAND FOR JURY TRIAL**

Michael Bateman ("Plaintiff"), individually and on behalf of all others  
similarly situated, alleges as follows.

**I. INTRODUCTION**

1. This is a class action for violation of the Fair and Accurate Credit  
Transactions Act ("FACTA"), which added 15 U.S.C. §1681c(g) to the Fair  
Reporting and Credit Act ("FRCA"). On behalf of himself and all others similarly  
situated, plaintiff Michael Bateman ("Plaintiff") brings this class action against

ORIGINAL

1 defendants WF Cinema Holdings, L.P. and Does 1-10 (collectively "Defendants")  
2 based on Defendants' practice of violating 15 U.S.C. § 1681c(g). FACTA was enacted  
3 by Congress in 2003 to aid in the prevention of identity theft and credit/debit card  
4 fraud. Section 1681c(g) provides that "no person that accepts credit cards or debit  
5 cards for the transaction of business shall print more than the last five digits of the  
6 card number or the expiration date upon any receipt provided to the cardholder at the  
7 point of the sale or transaction." As used herein, the phrase "Prohibited Information"  
8 refers to the information which 15 U.S.C. § 1681c(g) prohibits from being printed on  
9 receipts - i.e., more than the last five digits of the credit card or debit card number or  
10 the expiration date. Despite having had several years to bring themselves into  
11 compliance with the law, Defendants have willfully violated Section 1681c(g)  
12 repeatedly by printing Prohibited Information on credit card or debit card receipts  
13 issued to thousands of consumers. Based on these violations, Defendants are liable to  
14 Plaintiff and the proposed class of other similarly situated consumers under 15 U.S.C.  
15 § 1681n.

## 16 **II. THE PARTIES, JURISDICTION AND VENUE**

17 2. This Court has subject matter jurisdiction pursuant to 15 U.S.C. § 1681p  
18 and 28 U.S.C. § 1331. Venue is proper within this district pursuant to 28 U.S.C. §  
19 1391(b) because all named Defendants reside in this district and a substantial part of  
20 the events or omissions giving rise to the claim occurred in this district.

21 3. Plaintiff is a resident of the State of California and the County of Los  
22 Angeles, and is a "consumer" as defined by 15 U.S.C. § 1681a(c). Pursuant to the  
23 Federal Rules of Civil Procedure, Plaintiff seeks to represent a nationwide class of  
24 consumers, each who likewise constitutes a "consumer" under § 1681a(c).

25 4. Defendant WF Cinema Holdings, L.P. is a limited partnership organized  
26 under the law of Delaware, which has listed its address with the California Secretary  
27 of State as being in Norwalk, Connecticut, but maintains its principal place of  
28 business in Encino, California. Plaintiff is unaware of the true names of defendants

---

# EXHIBIT B

---



110TH CONGRESS  
1ST SESSION

# H. R. 4008

To amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2007

Mr. MAHONEY of Florida (for himself, Mr. LAMPSON, Mr. HODES, Mr. HILL, Ms. BEAN, Mr. MATHESON, Mr. BARROW, Mr. BACIUS, Mr. KLEIN of Florida, and Mrs. BACIMANN) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Credit and Debit Card  
5 Receipt Clarification Act of 2007”.

1 **SEC. 2. FINDINGS; PURPOSE.**

2 (a) FINDINGS.—The Congress finds as follows:

3 (1) The Fair and Accurate Credit Transactions  
4 Act (commonly referred to as “FACTA” ) was en-  
5 acted into law in 2003 and 1 of the purposes of such  
6 Act is to prevent criminals from obtaining access to  
7 consumers’ private financial and credit information  
8 in order to reduce identity theft and credit card  
9 fraud.

10 (2) As part of that law, the Congress enacted  
11 a requirement, through an amendment to the Fair  
12 Credit Reporting Act, that no person that accepts  
13 credit cards or debit cards for the transaction of  
14 business shall print more than the last 5 digits of  
15 the card number or the expiration date upon any re-  
16 ceipt provided to the card holder at the point of the  
17 sale or transaction.

18 (3) Many merchants understood that this re-  
19 quirement would be satisfied by truncating the ac-  
20 count number down to the last 5 digits based in part  
21 on the language of the provision as well as the pub-  
22 licity in the aftermath of the passage of the law.

23 (4) Almost immediately after the deadline for  
24 compliance passed, hundreds of lawsuits were filed  
25 alleging that the failure to remove the expiration  
26 date was a willful violation of the Fair Credit Re-

1       porting Act even where the account number was  
2       properly truncated.

3           (5) None of these lawsuits contained an allega-  
4       tion of harm to any consumer's identity.

5           (6) Experts in the field agree that proper trun-  
6       cation of the card number, by itself as required by  
7       the amendment made by the Fair and Accurate  
8       Credit Transactions Act, regardless of the inclusion  
9       of the expiration date, prevents a potential fraudster  
10      from perpetrating identity theft or credit card fraud.

11          (7) Despite repeatedly being denied class cer-  
12      tification, the continued appealing and filing of these  
13      lawsuits represents a significant burden on the hun-  
14      dreds of companies that have been sued and could  
15      well raise prices to consumers without corresponding  
16      consumer protection benefit.

17      (b) PURPOSE.—The purpose of this Act is to ensure  
18      that consumers suffering from any actual harm to their  
19      credit or identity are protected while simultaneously lim-  
20      iting abusive lawsuits that do not protect consumers but  
21      only result in increased cost to business and potentially  
22      increased prices to consumers.

1 **SEC. 3. CLARIFICATION OF WILLFUL NONCOMPLIANCE FOR**  
2 **ACTIONS BEFORE THE DATE OF THE ENACT-**  
3 **MENT OF THIS ACT.**

4 (a) IN GENERAL.—Section 616 of the Fair Credit  
5 Reporting Act (15 U.S.C. 1681n) is amended by adding  
6 at the end the following new subsection:

7 “(d) CLARIFICATION OF WILLFUL NONCOMPLI-  
8 ANCE.—For the purposes of this section, any person who  
9 printed an expiration date on any receipt provided to a  
10 consumer cardholder at a point of sale or transaction be-  
11 tween December 4, 2004, and the date of the enactment  
12 of this subsection but otherwise complied with the require-  
13 ments of section 605(g) for such receipt shall not be in  
14 willful noncompliance with section 605(g) by reason of  
15 printing such expiration date on the receipt.”.

16 (b) SCOPE OF APPLICATION.—The amendment made  
17 by subsection (a) shall apply to any action, other than an  
18 action which has become final, that is brought for a viola-  
19 tion of 605(g) of the Fair Credit Reporting Act to which  
20 such amendment applies without regard to whether such  
21 action is brought before or after the date of the enactment  
22 of this Act.

○